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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 4(1) a, 4 (1)(h) of Tamil Nadu Prohibition Act 1937 in Crime No. 61 **of 2024** on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the police officials found that the petitioner was alleged to have been found in possession of liquor of 139 bottles of beer and Rum. Hence, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submit that the petitioner has not committed any offence as alleged by the prosecution. However, on instructions, the learned counsel further submitted that the petitioner, on his own volition, is ready and willing to contribute a some amount to the charitable purpose as imposed by this Court. Learned

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counsel prays to grant anticipatory bail to the petitioner.

4.The learned **Government Advocate (Crl side)** submits that the petitioner was alleged to have been found in possession of liquor of 139 bottles of beer and Rum. He vehemently oppose for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the investigation is almost completed. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No. III, Thirupathur, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned

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Magistrate concerned and on further condition that:

[a] **the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Registered Advocate Clerks Association, Thirupathur District, within a period of two weeks from the date of receipt of copy of this order.**

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner is directed to report before the respondent police on every Sunday at 10.30 a.m., for a period of four weeks, and thereafter as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions,

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the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].**

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

05.04.2024

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T.V.THAMILSELVI, J.

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