



Crl.O.P.No.11586 of 2024

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K.KUMARESH BABU, J.

The petitioner seeks anticipatory bail in Crime No.172 of 2024 registered by the respondent Police for the offences under Section 4(1)(aaa) of Tamil Nadu Prohibition Act.

2. The learned counsel for the petitioner stated that, the petitioner has been falsely implicated in this case. Apprehending arrest from the respondent police, he seeks anticipatory bail to the petitioner.

3. It is stated by the learned Government Advocate (Criminal side) that the defacto complainant seized 316 bottles of alcohol containing 180ML of quantity and 33 bottles of alcohol containing 650ML of quantity from a TASMAC Bar which were kept for illegal sales from the accused person. There is no previous case pending against the petitioner. However, he prays for dismissal of this petition.

4. Taking all the factors into consideration and the overt act as against the petitioner, I am inclined to grant anticipatory bail to the petitioner with certain conditions.



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5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, No.II, Tiruvallur**, on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** 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 Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.

[b] the petitioner shall report before the respondent police everyday at 10.00 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner 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];

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

09.05.2024

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