



Crl.O.P.No.12125 of 2024

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C.SARAVANAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(a), 4(1-A) of Tamil Nadu Prohibition Act, 1937 and Sections 353 & 328 of I.P.C., and section 24(1) of Cigarette and other Tobacco Product Act, 2003 in Crime No.251 of 2024, seek anticipatory bail.

2. The learned counsel for the petitioner would submit that the XXIII Additional Additional Sessions Judge/ Vacation Sessions Judge, Sessions Court, Chennai has granted bail to the Accused 1 and 2 in crime No.251/2024 vide orders dated 08.05.2024 in Crl.M.P.No.13646 of 2024. The petitioners herein are the children i.e., daughters and son of the A1. A2 who is the son in law of A1 also granted bail by the Sessions Court on 08.05.2024. Hence, the learned counsel prays for granting Anticipatory bail to the petitioners.

3. The learned Government Advocate (Crl. side) vehemently opposed for granting anticipatory bail to the petitioners.



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4. Considering the fact that the prime accused A1 and A2 in Crime No.251 of 2024 have been granted bail by the XXIII Additional Sessions Judge / Vacation Session Judge, Court of Sessions at Chennai vide orders dated 08.05.2024 in Crl.M.P.No.13646 of 2024 and Crl.M.P.No.13634 of 2024 respectively, I see no impediment in granting anticipatory bail to the petitioners as well.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned X Metropolitan Magistrate Court, Egmore, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, both must be a blood relative of the petitioners, 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 petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond



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and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, 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]**.

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

22.05.2024

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