



Crl.O.P.Nos.12241 and 12247 of 2024

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C.SARAVANAN, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(a), 4(1-A), 14A of Tamil Nadu Prohibition Act in Crime No.323 of 2023 and Crime No.598 of 2023, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner is a daily wage.

3. The case of the prosecution is that the petitioner was in illegal possession of 30 ltrs. and 10 ltrs. of ID Arrack during the routine search conducted by the respondent on 10.05.2023 and 28.08.2023 respectively. It appears that the petitioner has also been involved in similar kind of offence and the same is pending at the stage of investigation.

4. *Prima facie* it appears that the petitioner aged 25 years, is engaged in peddling of illicit Arrack which is harmful to the society.



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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent and perused the materials available on record.

5. Considering the nature of the offence and age of the petitioner, this Court is inclined to grant Anticipatory Bail subject to a condition that the petitioner shall donate a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the recognized and registered Orphanage in Villupuram District along with other conditions stipulated hereunder.

6. Accordingly, the petitioner is directed to donate a sum of Rs.15,000/- (Rupees Fifteen thousand only) to any registered Orphanage at Villupuram District and on production of proof for the same, 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, Villupuram, on condition that the petitioner shall execute a bond for a



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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 10.30 a.m., pending further proceedings;

[c] Once the charge sheet is filed, the petitioner shall appear before the Court as and when required;

[d] the respondent is directed to complete the investigation and file the charge sheet as expeditiously as possible;

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

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



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[g] 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]**.

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

23.05.2024

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