



Crl.O.P.No.17134 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 4(1)(a) r/w 4(1-A) of the Tamilnadu Prohibition Act, in Crime No.185 of 2024, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated, as if the petitioner along with other accused was in possession of whisky bottles. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner along with other accused was found in illegal possession of 144 pocket of Original Choice Whisky and Glass bottles totally 28 litres of alcohol, worth about Rs.12,972/-. He further submitted that during enquiry, it is found that Karnataka alcohol which was banned in Tamil Nadu, and further investigation, it reveals that the first



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accused was added higher addiction umathanga in the bottles for higher rate.

He further submitted that based on the confession of arrested accused, this petitioner was impleaded as an accused in this case. He further submitted that the petitioner has no previous case pending against him. However, he vehemently opposed for the grant of anticipatory bail to the petitioner.

4. Taking into consideration the facts and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No.II, Hosur, Krishnagiri District***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, 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 and on further condition that:

(a) the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of “Registered Advocate Clerk Association,



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Krishnagiri District”, within a period of two weeks from the date of receipt of a copy of this order and shall produce the receipt of the same before the concerned Magistrate Court.

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) **the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two months;**

[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, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has been imposed and the petitioner is 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]*; and;

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[g] if the accused thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC;

22.07.2024

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