



Crl.O.P.No.17101 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) & 4(1-A) of the Tamilnadu Prohibition Act, in Crime No.474 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 13 bottles of brandy. 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 transportation of 13 bottles of black pearl brandy containing 180ml. by using the two wheeler. On enquiry, it reveals that the petitioner brought brandy for the purpose of selling the same in retail for higher price by mixing intoxicating substance. However, he vehemently opposed for the grant of



CrI.O.P.No.17101 of 2024

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.I, Perambalur*, 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.15,000/- (Rupees Fifteen Thousand only) to the credit of “Registered Advocate Clerk Association, Perambalur 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



CrI.O.P.No.17101 of 2024

WEB COPY

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 on every alternate days 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;

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

22.07.2024

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Crl.O.P.No.17101 of 2024

T.V.THAMILSELVI, J.

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Crl.O.P.No.17101 of 2024

22.07.2024