



Crl.O.P.No.17082 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)(ii) of Tamil Nadu Prohibition Act, in Crime No.455 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 was in possession of 30 litres of I.D. Arrack. 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 based on the secret information, the respondent police arrested the petitioner for illegally transporting 30 litres of I.D. Arrack by using two wheeler and on seeing the police, the driver of the two wheeler escaped from the scene of occurrence. He further submitted that the petitioner has three previous cases 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



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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, Thirupathur*, 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, Thirupathur 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



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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 eight weeks;

[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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