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Crl.O.P.No.19158 of 2024

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P.DHANABAL, J.

The petitioners seek anticipatory bail in Crime No.115 of 2024 registered by the respondent Police for the offences under Sections 4(1)(a), 4(1-A) and 14A of the Tamil Nadu Prohibition Act.

2. The case of the prosecution is that the respondent police on receiving a secret information, went to the place of occurrence and found that the liquor bottles were illegally sold by the petitioners and others. On knowing the arrival of the police, three accused persons escaped from the place of occurrence and the respondent police arrested one accused person. Hence, this case.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioners are arrayed as A2 and A3 and they have been in illegal possession of liquor bottles. He further submitted that there is no previous case pending against these petitioners.

5. Considering the submissions made by both sides and taking into consideration the nature of the offence charged against the petitioners and also the fact that there is no previous case pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory 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 **District Munsif Cum Judicial Magistrate, Neyveli**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each**, 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



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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 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 on every Saturday at 10.00 a.m., for a period of four 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 petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC;

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