



Crl. O.P. No.20310 of 2024

Crl.O.P. No.20310 of 2024

WEB CO P.DHANABAL.J.,

The petitioner apprehends arrest for the alleged offences under Sections 4(1)(B) & 5 of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.349 of 2024, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the owner of Descendants of the Dragon Restaurant Private Limited, Senthamangalam Village, Chengalpattu District. On 10.08.2024, the respondent police inspected the said restaurant and they found that customers were taking beer along with their food. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner has running the Restaurant by strictly following all the rules and regulations. On 10.08.2024, without the knowledge of the petitioner, some customers brought beer inside the restaurant. The petitioner never permitted or supplied any liquors in the restaurant. This petitioner is an innocent person and he had not indulged in any illegal activities as alleged by the prosecution and he has been falsely implicated in this case by the



Crl. O.P. No.20310 of 2024

respondent police and hence he seeks anticipatory bail to the petitioner.

WEB COPY

4. The learned Government Advocate (Criminal Side) would submit that the respondent police was inspected petitioner's Restaurant and they found that some of the customers of the said restaurant taking beer along with their food. Without any valid permission, the petitioner allowed his customers to take liquor in his restaurant. Hence, the learned Government Advocate (Criminal Side) vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side, considering the nature of offence involved in this case, no previous case is pending against the petitioner and considering other aspects, this court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period



Crl. O.P. No.20310 of 2024

of fifteen days from the date on which the order copy made ready, before

the learned **Judicial Magistrate-I, Chengalpattu** on condition that the

petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten

Thousand only) with two sureties each for a like sum to the satisfaction of

the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation;

[b] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

[c] the petitioner shall not leave India without the prior permission of the Court.

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

[e] On breach of any of the aforesaid conditions, the



WEB COPY



Crl. O.P. No.20310 of 2024

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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

23.08.2024

gvn



WEB COPY



Crl. O.P. No.20310 of 2024

P.DHANABAL,J

gvn

CRL OP.No.20310 of 2024

23.08.2024