



Crl.O.P.No.20784 of 2024

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WEB C **P.DHANABAL,J.**

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 4(1)(a) read with 4(1-A) ii of Tamil Nadu Prohibition Act, in Crime No.106 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on 01.07.2024, the petitioner was found in illegal possession of 5 liters of ID arrack in a lorry tube. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of the anticipatory bail to the petitioner stating that the petitioner was found in illegal possession of 5 liters of ID arrack in a lorry tube and that the lab report is awaited. However, he submitted that there is no previous case against the petitioner.

5. Considering the submissions of both sides, the nature of offence,



the quantity of materials involved and also considering the fact that the investigation is almost completed and there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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, Polur**, 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 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 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 tamper with evidence or witness either during investigation or trial;

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

[d] On breach of any of the aforesaid conditions, the learned



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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 v. State of Kerala [(2005) AIR SCW 5560].

[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S.

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