



Crl.O.P.No.20713 of 2024

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P.DHANABAL,J.

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The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 4(1)(k) read with 4(1)(B) of Tamil Nadu Prohibition Amendment Act, in Crime No.585 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on 14.08.2024 at about 17.30 hours, the 1st accused namely Ajith was found selling water bottles and eatables to some persons in a banner shed belongs to the petitioner herein, near a TASMAC shop at Ranganathapuram and on enquiry, it was found that the 1st accused was providing shelter to the persons who wants to consume liquor and supplied water bottles, plastic cups and eatables to them. Subsequently, the respondent police seized tables, chairs, water bottles and other items from the shed. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and that 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 along with other accused, provided shelter to the persons who come to consume alcohol and supplied water bottles, eatables and other items like Bar. However, he submitted that there is no previous case against the petitioner.

5. Considering the submissions of both sides, the nature of offence and also considering the fact that 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 No.1, Kallakurichi District**, 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.



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[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 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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