



Crl.O.P.No.22904 of 2024

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WEB COPY **P.DHANABAL, J.**

The petitioners apprehend arrest for the alleged offences under Section 4(1)(a), 4(1)(c), 4(1)(i), 4(1)(A) of Tamil Nadu Prohibition Act in Crime No.176 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the third accused illegal sold TASMAL Brandy bottles and the respondent police seized 180 Ml of 90 Brandy Bottles. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are an innocent person and they have not committed any such offence as alleged by the prosecution. The petitioners have been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.22904 of 2024

WEB COPY

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the third accused illegal sold TASMAL Brandy bottles and the respondent police have seized 180 Ml of 90 Brandy Bottles and based on the confession statement, the petitioners were arrayed as accused in this case and he further submitted that first petitioner was already arrested. However, further considering the gravity of offence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the representations made by both sides and considering the first petitioner/A1 was already arrested, the grant of anticipatory bail will not arise, hence this petition is **dismissed** as against the **first petitioner/A1** and further considering the nature of offences charged against the second petitioner/A2 and also considering the quantity of material involved in this case and also considering that no previous case is pending against the second petitioner/A2, this Court is inclined to grant **anticipatory bail** to the **second petitioner/A2** with certain conditions.

6. Accordingly, the second petitioner/A2 is ordered to be



CrI.O.P.No.22904 of 2024

released on bail in the event of arrest or on his/her appearance, within a

period of fifteen (15) days from the date of receipt of a copy of this order

before the **Judicial Magistrate, Tittagudi, Cuddalore** on condition that the

petitioners 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 second petitioner/A2 shall report **before the respondent police on every Saturday, for a period of four weeks.**

[b] the second petitioner/A2 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 of the Court or to any police officer.

[c] the second petitioner/A2 shall not leave India without the previous permission of the Court.

[d] the second petitioner/A2 shall not abscond either during investigation or trial.



Crl.O.P.No.22904 of 2024

WEB COPY

[e] the second petitioner/A2 shall make himself/herself available for interrogation by a police officer as and when required.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the second petitioner/A2 in accordance with law as if the conditions have been imposed and the second petitioner/A2 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]***.

[g] If the second petitioner/A2 thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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Crl.O.P.No.22904 of 2024

P.DHANABAL, J.

nsI

Crl.O.P.No.22904 of 2024

19.09.2024