



Crl.O.P.No.25449 of 2024

Crl.O.P.No.25449 of 2024

WEB COPY

P.DHANABAL,J.

The petitioner/A1 who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 4(1)(aaa), 4(1-A)(ii) of TNP Act in Crime No.417 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that when the respondent police was on regular patrol, they found that the petitioner along with another was found to be in possession of 130 litres of ID Arrack. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and she has not committed any such offence as alleged by the prosecution. He further submits that only based on the confession statement of the co-accused, she was arrayed as an accused in this case. He also submits that she is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.25449 of 2024

WEB COPY

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioner along with another was found to be in possession of 130 litres of ID Arrack. He further submits that the petitioner is having 24 previous cases, out of which, 15 cases were disposed of and in the remaining cases, bail was granted to her. He further submits the co-accused was arrested by the police and he is still in prison. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Considering the nature of offence, the quantity of ID arrack involved in this case, only based on the confession statement of the co-accused, she has been arrayed as an accused in this case, though the petitioner is having 24 previous cases, out of which, 15 cases were disposed of and in the remaining cases, bail was granted to her and also the fact the case is pending from June 2024, so far, the respondent has not steps to secure the



CrI.O.P.No.25449 of 2024

accused and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate-II, Thiruvannamalai** 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 every day at 10.30 a.m., until further orders.

[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.



CrI.O.P.No.25449 of 2024

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

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

30.10.2024

Vv



WEB COPY



Crl.O.P.No.25449 of 2024

P.DHANABAL, J.

Vv

Crl.O.P.No.25449 of 2024

30.10.2024