



Crl. O.P. No.26977 of 2024

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P. DHANABAL.J.,

The petitioner / 2nd Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 4(1)(c), 4(1)(a), 4(1-A)ii of TNP Act in connection with the Cr. No.224 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 22.10.2024, based on the secret information, the respondent police went to the scene of occurrence at Koovathur ECR Road and found one auto bearing registration No.TN32 Q 1022 in suspicious manner and when checked the auto, they found the petitioner with illegal possession of 144 bottles each containing 180 ml. Hence the case.

3. The learned counsel for the petitioner would contend that a false case has been registered as against the petitioner and he is an innocent and he has not involved in any offence as alleged in the FIR and that he is ready to abide by any condition imposed by this Court. Hence, the petitioner may be released on bail.

4. The learned Government Advocate (Criminal Side) would submit



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that the petitioner was caught red handed at Koovathur ECR Road for the illegal possession of 144 bottles Monitor each containing 180 ml in his vehicle. Investigation is not completed. Hence he strongly objected to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, considering the nature of offence and the quantity of materials involved in this case, considering the fact that there is no previous case pending as against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 **District Munsif-cum-Judicial Magistrate Court, Thirukkazhukundram, Chengalpattu 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



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the learned Magistrate concerned and on further condition that:

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[a] the petitioner shall report before the respondent police on daily at 10.00 a.m. for a period of 30 days 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;

[c] the petitioner shall not leave India without the previous 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 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



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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.

28.10.2024

mjs

To

- 1.The District Munsif - cum - Judicial Magistrate Court, Thirukkazhukundram, Chengalpattu District
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Koovathur Police Station, Chengalpattu District.

P.DHANABAL,J
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28.10.2024