



Crl.O.P.No.27573 of 2024

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A.D.JAGADISH CHANDIRA, J.

The Petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(c), 4(1-A)(ii) of Tamil Nadu Prohibition Act, 1937 in Crime No.74 of 2024, seeks anticipatory bail.

2.Heard the learned counsel appearing on behalf of the parties.

3.The case of the prosecution is that the Petitioner along with other accused were found in possession of 20 pockets of arrack (2 litres) arrack. The Petitioner herein is the third Accused in the complaint.

4.The learned counsel for the Petitioner would submit that the Petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the Petitioner is ready and willing to abide by any condition that may be imposed on him.

5.The learned Government Advocate (Crl. Side) would submit that the first Accused was already arrested and released on bail. He would further submit that there is no previous case pending against this Petitioner.



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6.Taking into consideration the facts of the case and the submission that the Petitioner has no bad antecedents and the first Accused was already arrested and released on bail, I am inclined to grant anticipatory bail to the Petitioner subject to the following conditions:

7.Accordingly, the Petitioner is directed to make a non-refundable deposit of **Rs.10,000/- (Rupees Ten Thousand only)** directly to the credit of **"The Dean/Medical Officer, Government Medical College Hospital, Mundiampakkam"**, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Cuddalore, 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 said Magistrate, on further condition that:

[a] if the Petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the Petitioner shall report before the respondent police daily at



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10.30 a.m until further orders;

[c] the Petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 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 BNS.

04.11.2024

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Dated: 04.11.2024