



Crl.O.P.No.27383 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.796 of 2023 registered by the respondent Police for the offences punishable under Sections 4(1)(aaa), 4(1)(b), 4(1)(g), 4(1)(h), 4(1-A) of T.N.P Act and under Sections 420, 467, 468 and 471 of IPC.

2. It is stated that on 18.10.2023, on receiving information about illegal transport of brandy bottles, the respondent had intercepted Honda Amaze car bearing registration No.TN 07 BU 9328 and it was found that there were 384 brandy bottles each contains 180 ML.

3. The learned counsel for the petitioner stated that the petitioner is innocent of the offences and his name had been included only based on confession of the other accused.

4. It is also stated that this is the second anticipatory bail application and the change in circumstances that A1 to A3 who had been arrested and had been granted bail.



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5. Taking all those factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** either by RTGS/NEFT or by Cash to the credit of **Tamil Nadu Advocate's Clerk's Association, High Court Buildings, High Court, Chennai bearing Account No.: 484026006 in the Branch at Indian Bank High Court and IFSC No.: IDIB000M157**. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.II, Erode**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 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 petitioners 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 229A IPC.

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