



Crl.O.P.No.29118 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)(A) & 24 of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.601 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 violated the conditions of the license by selling liquor after the permitted hours. Hence the case.

4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. The learned counsel further submitted that the petitioner is a “FL-3” licensed owner, running a resto-bar in his hotel cum lodge in the name and style of M/s.Hotel Jayaram. Hence, he prayed for grant of anticipatory bail to the petitioner.



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5.Learned Government Advocate (Criminal Side) appearing for the respondent police while opposing the grant of anticipatory bail to the petitioner submitted that the petitioner has two previous cases pending against him, which are similar in nature.

6.Taking into consideration the facts of the case and the submission of the learned counsel on either sides, 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Chidambaram** 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., for a period of two weeks and thereafter, every Saturday at 10.30 am, 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 of BNS.

21.11.2024

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