



Crl.O.P.No.29086 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), 4(1)(C), 4(1-A)(ii) & 14(A) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.345 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 first accused was found in illegal possession of 25 bottles of Brandy, containing poisonous substances. Based on the confession statement of the first accused that he used to sell the bottles though the petitioner herein also, the petitioner has been implicated in this case. Hence the case.

4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case only for statistical purpose. The learned counsel further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by



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this Court. 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 no previous cases pending against her.

6.Taking into consideration the facts of the case and the submission of the learned counsel on either sides and considering the fact that there is no previous cases pending against her, 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **District Munsif-cum-Judicial Magistrate, Parangipettai, Cuddalore 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 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



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period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police daily at 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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Dated: 21.11.2024