



CrI.O.P.No.28006 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A4 seeks anticipatory bail in Crime No.307 of 2022 registered by the respondent Police for the offences punishable under Section 4(1)(aaa) r/w 4(1-A) of T.N.P. Act (transport).

2. It is stated that the petitioner is a Manager of a Bar at Karaikal and also stated that the respondent had intercepted an Activa Car bearing Registration No.TN 51 AQ 9564 and found 110 litres ID Arrack being transported. One of the accused had been arrested. On the basis of confession of the said accused, the petitioner had been arrayed as further accused.

3. The learned counsel for the petitioner stated that the petitioner is only an employee of the said shop.

4. However, taking all those factors into consideration this Court is inclined to grant anticipatory bail to the petitioner, but however, **directing the petitioner to deposit an amount of Rs.25,000/- (Rupees Twenty Five Thousand only) as non refundable deposit to the credit of Crime No.307**



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of 2022 before the Judicial Magistrate No.II, Nagapattinam District. The said amount may be handed over by the Judicial Magistrate No.II, Nagapattinam to the Dean, Government General Hospital, Nagapattinam, for treating the needy patients.

5. Accordingly, 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, Nagapattinam District**, on condition that the petitioner shall execute a separate 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:

[a] the petitioner 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.



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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for the interrogation.

[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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