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Crl.O.P.No.28007 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner seeks anticipatory bail in Crime No.699 of 2023 registered by the Respondent Police for the offences under Sections 4(1)(a) and 4(1-A)(ii) of TN Prohibition Act, with respect to an occurrence which took place on 10.11.2023.

2. It is stated by the learned Government Advocate (Criminal Side) that the Accused A1 and A2 were found in possession of 3 litres of ID arrack apart from 96 bottles of 180 ml of liquor and 40 bottles of 90 ml of liquor. Hence, this case. He also stated that all the other Accused persons had been arrested and had granted bail.

3. The learned counsel for the Petitioner stated that the Petitioner is an innocent person and he was in no way connected with the alleged offence. Thus, he prays for grant of anticipatory bail to the Petitioner herein.



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4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions that **the Petitioner is directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand Only) to the credit of the Dean, Government General Hospital, Thirupathur for treatment of needy patients.** 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 on which the order copy made ready, before **the learned Judicial Magistrate No.I, Thiurpathur**, 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:

[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 deposit a sum of Rs.20,000/- (Rupees Twenty Thousand Only) to the credit of the Dean, Government General Hospital, Thirupathur for treatment of needy patients.

[c] the petitioner shall report before the Respondent Police daily at 10.30 a.m., until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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