



Crl.O.P.No.6 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioner seeks anticipatory bail in Crime No.244 of 2023 registered by the Respondent Police for the offences under Sections 4(1)(a), 4(1-A) and 14A of TN Prohibition Act with respect to an occurrence which took place on 24.10.2023.

2. The learned counsel for the Petitioner stated that the Petitioner has been falsely implicated in this case by the prosecution. He also stated that the Respondent has foisted a case against the Petitioner with an ulterior intention to spoil the Petitioner's life. Thus, he prays for grant of anticipatory bail to the Petitioner herein.

3. The learned Government Advocate (Criminal Side) stated that the Respondent had recovered 300 packets of 100 ml of Illicit Arrack from the Petitioner herein. He also stated that there are six previous cases against the Petitioner herein.



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4. But however taking all the factors into consideration and also considering the age of the Petitioner, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions. 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 Judicial Magistrate Court – I, Cuddalore**, 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.

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

[c] the petitioner shall not tamper with evidence or witness



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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 229A IPC.

04.01.2024

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