



Crl.O.P.No.30795 of 2024

Crl.O.P.No.30795 of 2024

A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.230 of 2024, registered for the offences punishable under Sections 4(1)(c), 4(1-A)(ii) of Tamil Nadu Prohibition Act, the present petition has been filed seeking anticipatory bail.

2.The case of the prosecution is that the petitioner was found in possession of 5 litres of Arrack kept in a kudam and 200 litres of fermented wash and after seeing the police officials the petitioners ran away from the spot. Hence, the case.

3.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would further submit that he is ready and willing to furnish substantial sureties for his due release on anticipatory bail and he is ready to abide by any stringent condition that may be imposed by this Court.

4.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for



Crl.O.P.No.30795 of 2024

grant of anticipatory bail, is that the petitioner is the sole accused and he found in possession of 5 litres of Arrack kept in a kudam and 200 litres of fermented wash and after seeing the police officials the petitioners ran away from the spot. He would further submit that there is no previous case as against the petitioner.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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, Sankarapuram, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intend 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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every day at 10.30 a.m. 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

11.12.2024

ah



WEB COPY



Crl.O.P.No.30795 of 2024

A.D.JAGADISH CHANDIRA, J.

ah

Crl.O.P.No.30795 of 2024

11.12.2024