



Crl.O.P.No.28832 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(1) (aa) r/w (4) (1)(h) of the Tamilnadu Prohibition Act in Crime No.352 of 2023, seek anticipatory bail.

2. It is stated that the petitioners were in possession of 192 brandy bottles each containing 180 ml and 36 beer bottles each containing 650 ml.

3. The learned Government Advocate stated that there are two previous cases against each of the petitioner.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

5. Accordingly, the petitioners are 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, Cheyyar Tiruvannamalai District** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction



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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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioners shall jointly deposit a sum of Rs.20,000/- to the **District Revenue Officer, Tiruvannamalai District**. Two weeks time is granted for deposit the said amount from the date of receipt of a copy of this order.

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

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

[f] On breach of any of the aforesaid conditions, the learned



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Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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]**.

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

05.01.2024

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