



Crl.O.P.No.31091 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP. 31091 of 2024

SELVARAJ, M/A, 43 YEARS,
S/O. RAMAN
KATTUKOTTAI VILLAGE,
KALVARAYANMALAI TALUK,
KALLAKURUCHI DISTRICT.

PETITIONER(S)

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
KARIYALUPOLICE STATION
KALLAKURICHI DISTRICT.
CRIME NO.129 OF 2024.

RESPONDENT(S)

For Petitioner(s):

MAHA VISHNU T

For Respondent(s):

S.SANTHOSH
GOVERNMENT ADVOCATE (CRL.SIDE)



ORDER

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Apprehending arrest in connection with Crime No.129 of 2024 registered for the offences punishable under Section 4(1)(g), 4(1)(aa) and 4(1-A) of Tamil Nadu Prohibition Act, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submitted that the petitioner is innocent and he has been unnecessarily roped in this case. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that petitioner was found in possession of 90 litres of Arrack and 1050 litres of fermented wash.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. 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 and 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Sankarapuram 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent Police daily at 10.300 a.m for a period of two weeks and thereafter on every Saturday 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



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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 269 of BNS.

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A.D.JAGADISH CHANDIRA, J.



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