



Crl.O.P.No.31348 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-12-2024

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CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31348 of 2024

Ramesh

No.91, Middle Street, Kedar Village villupuramS/o
Arunachalam No.91 Middle street Kedar village,
Villupuram - 606 207

Petitioner(s)

Vs

The State represented by The Inspector of Police
Kariyalur Police Station Kallakurichi District(Cr.
No.121/2024)No.91, Middle Street, Kedar Village
villupuram

Respondent(s)

For Petitioner(s):

Ganesan T
K.B.Vivekanandhan
D.Magesh
S.Sharan
G.Nirmala

For Respondent(s):

Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(g), 4(1)(a) and 4(1-A) of TN Prohibition Act in Crime No.121 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, based on a secret information, the respondent police went to the spot and found 20 liters of ID Arrack and further inspecting the spot, found 600 liters wash. Upon enquiry, it is found that the petitioner had prepared the wash to sale the same. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner is innocent and has not committed any offence and false complaint has been lodged against the petitioner. He would further submit that, the petitioner, no material is seized from the petitioner and not present at the place of occurrence, further the petitioner has no previous case in similar nature. He would further submit that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the petitioner, stating that the petitioner had involved in illegal selling of 20 liters of ID Arrack and 600 liters wash. He would further submit that the petitioner has one



previous case, not similar in nature.

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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and considering the fact that the petitioner has no similar previous case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 separate 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:



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[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 everyday 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.



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To

1. The State represented by The Inspector of Police
Kariyalur Police Station
Kallakurichi District(Cr. No.121/2024)No.91, Middle
Street, Kedar Village, Villupuram

A.D. JAGADISH CHANDIRA, J.

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