



CRL OP(MD) No.1009 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Tuesday, the Twenty Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1009 of 2024

VETRISSELVAN ... PETITIONER / ACCUSED(RANK NOT KNOWN)

Vs

THE INSPECTOR OF POLICE
SIRUGANUR POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.9 OF 2024)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.B.RAMNATH, Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.9 OF 2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 4(1) (a a) and 4(1-A) of the Tamil Nadu Prohibition Act, in Crime No.9 of 2024, on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD) No.1009 of 2024

WEB COPY

2.The case of the prosecution is that the petitioner was found in illegal possession of 288 bottles of express brandy (each contains 180 ml) and the same was seized by the respondent Police.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. However, on instructions, the learned counsel further submitted that the petitioner, on his own volition, is ready and willing to contribute a sum of Rs.15,000/- for the purpose of giving treatment to the alcoholic addicted persons.

4.The learned Government Advocate (Crl.Side) submitted that there are one previous case pending against the petitioner in similar nature.

5.Considering facts and circumstances of the case and also considering the fact that the petitioner, on his own volition, is ready and willing to deposit of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of the Dean, Mahatma Gandhi Memorial Government Hospital, Tiruchirappallai, for giving treatment to the alcoholic addicted persons, without prejudice his right and contention, I am inclined to grant anticipatory bail to the petitioner.

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 of receipt



CRL OP(MD) No.1009 of 2024

WEB COPY

of a copy of this order, before the **learned Judicial Magistrate, Lalgudi**, 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 and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the petitioner shall make a non-refundable deposit of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of **the Dean, Mahatma Gandhi Memorial Government Hospital, Tiruchirappallai**, for giving treatment to the alcoholic addicted persons, without prejudice to his defence before the trial Court and submit the proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the challan/ receipt/acknowledgement, shall accept the sureties furnished by the petitioner;



CRL OP(MD) No.1009 of 2024

WEB COPY

(c)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(d)the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders;

(e)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f)the petitioner shall not abscond either during investigation or trial;

(g)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]*; and;

(h)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7. In the result, this Criminal Original Petition is ordered and the Dean, Mahatma Gandhi Memorial Government Hospital, Tiruchirappallai, shall submit



CRL OP(MD) No.1009 of 2024

the necessary proof with regard to the expenditure incurred for the treatment given
WEB COPY
to the alcoholic addicted persons before the Registry, Madurai Bench of Madras
High Court, Madurai.

sd/-
23/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE,
LALGUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI.
- 3 THE INSPECTOR OF POLICE
SIRUGANUR POLICE STATION,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

- 1 THE DEAN,
MAHATMA GANDHI MEMORIAL GOVERNMENT HOSPITAL,
TIRUCHIRAPPALLI.



CRL OP(MD) No.1009 of 2024

WEB COPY

2 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.T.LENINKUMAR, Advocate (SR-1044[I] dated 24/01/2024)

ORDER
IN
CRL OP(MD) No.1009 of 2024
Date :23/01/2024

SS/JGB/SAR- /29/01/2024/6P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023