



CRL OP(MD) No.1518 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the First day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1518 of 2024

RAMESH @ SHANMUGASUNDARAM ... PETITIONER/ ACCUSED 2

Vs

THE INSPECTOR OF POLICE
PATTUKOTTAI PROHIBITION ENFORCMENT WING,
THANJAVUR DISTRICT.
CR.NO.76/2024

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.VEERAPANDISELVARAJ, 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 CR.NO.76/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Accused No.2, who apprehends arrest at the hands of the
respondent Police for the alleged offence under Sections 4(1)(a) r/w. 4(1-A) of



CRL OP(MD) No.1518 of 2024

Tamilnadu Prohibition Act, in Crime No.76 of 2024, on the file of the respondent

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Police, seeks anticipatory bail.

2.The case of the prosecution is that on 25.01.2024, on receipt of secret information, the respondent Police conducted the raid, at that time, the petitioner and the other accused person were found in illegal possession of 128 brandy bottles. Hence, the case.

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.10,000/- for the welfare of the patients in the Government Rehabilitation Home for Leprosy, Kottakai Medu, Y.Pudupatti, Arumbanoor Post, Madurai.

4. The learned Additional Public Prosecutor submitted that the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the offence made against the petitioner, 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



CRL OP(MD) No.1518 of 2024

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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, Pattukkottai, 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.10,000/- (Rupees Ten Thousand only) to the Government Rehabilitation home for leprosy Kottakai Medu, Y.Pudupatti, Arumbanoor Post, Madurai, by way of Demand Draft, 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;

(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



CRL OP(MD) No.1518 of 2024

Aadhar card or Bank pass Book to ensure their identity;

(d)the petitioner shall report before the respondent police as and when required for interrogation;

(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.

sd/-
01/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD) No.1518 of 2024

INDU

TO

1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
PATTUKOTTAI PROHIBITION ENFORCEMENT WING,
THANJAVUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE OFFICER INCHARGE,
THE GOVERNMENT REHABILITATION HOME FOR
LEPROSY KOTTAKAI MEDU, Y.PUDUPATTI,
ARUMBANOOR POST, MADURAI

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-1290[I] dated 01/02/2024)

ORDER

IN

CRL OP(MD) No.1518 of 2024

Date :01/02/2024

SA/VR/SAR. /06.02.2024/5P/C

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