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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6166 of 2024

Prakash, ... Petitioner/Accused No.2

Vs

The Inspector of Police,
Ammapet Police Station
Thanjavur District.
(Crime No.342/2024).. ... Respondent/Complainant

For Petitioner : Mr.Ak.Azagar Sami, Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.342/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police in connection with the case in Crime No.342 of 2024 for the offence under Sections 4(1)

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(a), 4(1-A) of Tamil Nadu Prohibition Act, has filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that the petitioner was in possession of two gunny bags containing 136 brandy bottles of 180 ml, without valid license.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. To show his bonafide in this case and also in Crl.O.P.(MD)No.6174 of 2024 (Crime No.341 of 2024), the petitioner has paid a sum of Rs.50,000/- to the Chief Educational Officer, Thanjavur District.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and 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 concerned learned Judicial Magistrate, on condition that

(i) the petitioner executes a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand), with two sureties each, for a like sum to the satisfaction of the learned

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Judicial Magistrate, Papanasam, Thanjavur;

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police daily at 10.30 am for a period of two weeks and thereafter shall appear as and when required by the respondent police. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
12/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV )
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1 THE JUDICIAL MAGISTRATE,
PAPANASAM, THANJAVUR.

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

3 THE INSPECTOR OF POLICE
AMMAPET POLICE STATION
THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.6166 of 2024
Date :12/06/2024

PKP/GS/SAR /24.06.2024/ 4P/ 5C

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