



CRL OP(MD).No.6413 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Ayyasami

... Petitioner/ Accused No.3

Versus

The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
(Crime No.3 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Sivapraksh, Advocate

For Respondent : Mr.M.Sakthi Kumar, Government Advocate (Crl. Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.3 of 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 a case in Crime No.3 of 2024, for the offence under Sections 4(1)(aaa), 4(1)(g), 4(1-A) of Tamil Nadu Prohibition Act, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the accused persons were found in illegal possession of 10 liters of ID arrack.

3. The learned counsel appearing for the petitioner submits that the petitioner is



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an innocent person and he is in no way connected with the alleged occurrence.

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However, this case has been foisted against the petitioner. He further submits that A2 has already been granted anticipatory bail by this Court in CrI.O.P.(MD)No.1008 of 2024 dated 23.01.2024. He further submits that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.10,000/- to the District Siddha Medical Officer. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police submits that the investigation is going on and the petitioner is not having any previous case.

5. Considering the nature of offence and also considering the fact that the petitioner is not having any previous case and he is ready and willing to deposit a sum of Rs.10,000/- to the District Siddha Medical Officer, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered 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 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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District Munsif cum Judicial Magistrate, Peravurani, Thanjavur District.

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(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 is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the District Siddha Medical Officer CCRI PKM, Account No.10767823177, IFSC Code : SBIN0000898, MICR CODE : 625002601, Branch: SBI Periyakulam, without prejudice to his defence before the trial Court and the concerned Magistrate, after perusing the challan/ receipt, shall accept the sureties furnished by the petitioner;

(iv) The petitioner shall appear before the respondent police as and when required for interrogation. He has to co-operate for the investigation.

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

(vi) 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/-

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/05/2024

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



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TO

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1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, PERAVURANI,
THANJAVUR DISTRICT.

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

3 THE INSPECTOR OF POLICE, SETHUBAVACHATHIRAM POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO

THE OFFICER INCHARGE, DISTRICT SIDDHA MEDICAL OFFICER, CCRI PKM,
PERIYAKULAM, THENI DISTRICT.

+1 CC to M/s.S.SIVA PRAKASH, Advocate (SR-4961[I] dated 26/04/2024)

ORDER
IN

CRL OP(MD) No.6413 of 2024

Date :26/04/2024

RS/JGB/SAR-(06.05.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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