



CRL OP(MD)No.7280 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.05.2024

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

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Kayathiri

... Petitioner/ Accused No.8

Vs

State represented by
The Inspector of Police,
PEW Madurai City Police Station,
Madurai City.
(In Crime No.170/2021)

... Respondent/Complainant

For Petitioner : Mr.N.PRAGALATHAN, Advocate

For Respondent : Mr.S.MANIKANDAN
Government Advocate [Crl.Side]

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

PRAYER :- For Anticipatory Bail in Crime No.170 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the



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offences punishable under Sections 4(1)(aaa) and 4(1-A) of the Tamilnadu Prohibition Act, Section 7 of the Tamil Nadu Rectified Spirit Rules, 2000 and Sections 468, 471, 420 and 328 of IPC in Crime No.170 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 20.01.2021 at about 11.30 p.m., when the respondent police was in patrol, A1 and A2 namely Arumugam and Santhanam tried to sell liquor bottles. When the police enquired, they confessed that A1 and A2 and other accused persons illegally manufactured liquor and affixed the fake Puducherry label and mixed Atropine and sold. Thereafter, the respondent police recovered 492 bottles and other properties from the petitioner and other accused persons. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioner is innocent and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is willing to abide by any condition to be imposed by this Court.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the investigation is at initial stage and he prayed for dismissal of the anticipatory bail.

5.Taking into consideration the facts and circumstances of the case, this Court is



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inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with the 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
24/05/2024

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/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MR
TO

1 THE JUDICIAL MAGISTRATE NO.V,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
PEW MADURAI CITY POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-5822[I] dated 24/05/2024)
<https://www.mhc.tn.gov.in/judis>



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ORDER IN
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Date :24/05/2024

SA/GS/SAR. /29.05.2024/5P/6C

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