



CRL OP(MD). No.8216 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/06/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8216 of 2024

1.Periyasamy
2.Selvakumar

... Petitioners/ Accused Nos.1 & 2

Vs

The Sub Inspector of Police,
Pulithipatty Police Station,
Sivagangai District.
Crime No.52 of 2023

... Respondent/Complainant

For Petitioners : Mr.S.Sekar, Advocate.

For Respondent : Mr.M.Sakthi Kumar, Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.52 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 272, 273, 328 of IPC and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 and Sections 4(1) (k) and



CRL OP(MD). No.8216 of 2024

4(1) (I of Tamil Nadu Prohibition Act in Crime No.52 of 2023, on the file of the
WEB COPY
respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners were in possession of 7 packets of prohibited hans and liquor bottles in their petty shop, which is situated nearby a School. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners are the father and son and they have not involved in any offence as alleged by the prosecution. No recovery has been made from the petitioners.

4..The learned Additional Public Prosecutor appearing for the respondent submits that the investigation in this case is yet to be completed and no previous case is pending as against the petitioner.

5.Considering the facts and circumstances of the case, and also considering that no previous case is pending as against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court,Singampunari on condition that the petitioners shall execute a bond for a sum of Rs.25,000/--(Rupees Twenty Five Thousand) with two



CRL OP(MD). No.8216 of 2024

WEB COPY

sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Singampunari and on further conditions that:

- i. The petitioners 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;
- ii. The petitioners shall appear before the respondent police as and when required by the respondent police.
- iii. The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-

06/06/2024

/ TRUE COPY /

/06/2024

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

VRN



CRL OP(MD). No.8216 of 2024

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE, SINGAMPUNARI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE, PULITHIPATTY POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.S.SEKAR, Advocate (SR-6176[I] dated 06/06/2024)

ORDER
IN

CRL OP(MD) No.8216 of 2024

Date :06/06/2024

RS/JGB/SAR-(18.06.2024) 4P 6C

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