



CRL OP(MD). No.9799 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9799 of 2024

A.Jeyakumar,

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
(Crime No.307 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.V.Panneer Selvam,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.307 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1-A) of Tamil Nadu Production Act, 1937, in Crime No.307 of 2024, seeks anticipatory bail.



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2.The case of the prosecution is that the petitioner and the others accused were found in illegal possession of 139 numbers of liquor bottles worth about Rs.20,000/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. However, he would further submit that the petitioner shall abide any condition imposed by this Court. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that totally 6 accused are involved in this case. The petitioner is arrayed as A4. The investigation is in preliminary stage. Hence, he strongly opposed to grant anticipatory bail. However, he fairly conceded that A3 was released on bail and A2 was released on anticipatory bail by this Court.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused were already released on bail and anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) to the credit of Headmistress, Panchayat Union Primary School, Madurai East (Account No.10111536270, IFSC Code: SBIN0002246,



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State Bank of India, Othakadai Branch, Madurai) without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate No.I, Sivagangai, Sivagangai District.

7.On production of such receipt, 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 No.I, Sivagangai, Sivagangai District, 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 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with 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



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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;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

1 THE JUDICIAL MAGISTRATE NO.I,
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT.

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



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COPY TO:

THE HEADMISTRESS,
PANCHAYAT UNION PRIMARY SCHOOL,
MADURAI EAST,
MADURAI.

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-7992[I] dated 16/07/2024)

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-34869[F] dated 15/07/2024)

ORDER
IN
CRL OP(MD) No.9799 of 2024
Date :12/07/2024

SA/GS/SAR. /22.07.2024/5P/8C

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