



CRL OP(MD). No.9925 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09/07/2024

PRESENT

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

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Puzhavendran @ Pulendran

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Pappanadu Police Station
Thanjavur District.
(Crime No.213/2024.)

... Respondent/Complainant

For Petitioner : A.Arun Prasad, 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 Cr No.213/2024 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioner/ A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(aaa), 4(1)(i), 4(1-A), 4(1)(j) & 7(a) of Tamil Nadu Prohibition Act, in Crime No.213 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that on 21.06.2024, at about, 11.00 p.m, the respondent police found A3 was selling liquor as per the instruction of A1, who is the TASMALC Bar owner. On enquiry, it was came to know that A5, who is the Sales Manager and the petitioner/ A4, who is the Supervisor of the TASMALC Shop were sold the beer bottles to A3 from the TASMALC Shop. 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 totally 7 accused are involved in this case. The petitioner is arrayed as A4 and he is the Supervisor of the TASMALC Shop. A3 was found in possession of 184 numbers of Beer bottles each contains 180 ml worth about Rs.60,000/-. The investigation in this case is not yet completed. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

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



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with certain conditions.

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6. Accordingly, the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Madurai Bench High Court Advocates Association (MBHAA), Ac.No.496038755, IFSC.CODE:IDIB000H040 Branch High Court, Madurai, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate, Orathanadu, Thanjavur.

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, Orathanadu, Thanjavur, 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 for a period of three weeks and thereafter, as and when required for interrogation;



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(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 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/-
09/07/2024

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/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,
Orathanadu, Thanjavur.



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2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Officer Incharge,
Madurai Bench of High Court Advocates Association (MBHAA),
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.9925 of 2024
Date :09/07/2024

ED/ JGB /SAR- (18/07/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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