



CRL OP(MD). No.10113 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

CRL OP(MD). No.10113 of 2024

Selvamuni,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
Cr.No.82/2024.

... Respondent/Complainant

For Petitioner : M/s.Uthayakumar.V,Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.82/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent

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CRL OP(MD). No.10113 of 2024

police for the offences punishable under Sections 4(1)(a), 4(1)(i) of Tamil Nadu Prohibition Act, 1937, in Crime No.82 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 45 numbers of Honey Day Brandy bottles each contains 180 ml. The value of the above said bottles is Rs.9,000/-. 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 would submit that the petitioner is a habitual offender and he is having 26 previous cases. All are similar in nature. Further, 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



CRL OP(MD). No.10113 of 2024

with certain conditions.

6. Accordingly, the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Account Number (A/c.No.7567821433, Indian Bank, High Court Branch Madurai (2001), IFSC Code:IDIB000H040) opened by the Registrar Judicial, Madurai Bench of Madras High Court, Madurai, for donating law books in the name of "Madurai Bench of Madras High Court" in Kalaigiar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate No.I, Srivilliputtur.

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, Srivilliputtur 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

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CRL OP(MD). No.10113 of 2024

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 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 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



CRL OP(MD). No.10113 of 2024

TO
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- 1 THE JUDICIAL MAGISTRATE NO.I SRIVILLIPUTHUR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT @ SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE
NATHAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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+1 CC to M/s.S.MEENA, Advocate (SR-7658[I] dated 09/07/2024)

ORDER
IN

CRL OP(MD) No.10113 of 2024
Date :09/07/2024

PKP/GS/SAR /19.07.2024/ 5P/8C

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