



CRL OP(MD). No.10339 of 2024

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

Date : 11/07/2024

PRESENT

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

CRL OP(MD). No.10339 of 2024

Palani

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Devipattinam Police Station
Ramanathapuram District.
(Crime No.236/2024.)

... Respondent/Complainant

For Petitioner : Mr.B.Mahendrarajan, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr No.236/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 132 and 351(3)



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of BNS, 2023 and Sections 4(1)(a) and 4(1)(i) of Tamil Nadu Prohibition Act, 1937, in

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Crime No.236 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that on 05.07.2024, at about 6.30 a.m, the petitioner and other accused were in illegal possession of 32 liquor bottles (each contains 180 ml) and also threatened the respondent police. 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 the petitioner and other accused were in illegal possession of of 32 liquor bottles (each contains 180 ml), worth about Rs.4,800/- and he is having ten previous cases, out of which, nine cases are similar offence. The investigation in this case is not yet completed. Hence, he strongly opposed to grant anticipatory bail.

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

6.Accordingly, the petitioner shall pay a sum of Rs.2,500/- (Rupees Two



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Thousand Five Hundred only) to the Annai Indira Pengal Munnetra Sangam (ANPMS, Abiram Nagar, Sikkanthar Savadi, Madurai,(Mobile No:8270863703; 984388910; 7639281110), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram 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, Ramanathapuram, Ramanathapuram 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;



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(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/-
11/07/2024

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

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To

1.The Judicial Magistrate No.I,
Ramanathapuram,
Ramanathapuram District.

2.Do through the Chief Judicial Magistrate,
Ramanathapuram District.



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3.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

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

Copy to:

The Officer Incharge,
Annai Indira Pengal Munnetra Sangam (ANPMS)
Abiram Nagar,
Sikkanthar Savadi,
Madurai.

ORDER

IN

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Date :11/07/2024

ED/ JGB /SAR- (19/07/2024) 5P / 6C

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