



CRL OP(MD). No.11560 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 25/07/2024

PRESENT

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

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1. Amutha,

2. Harikrishnan,

... Petitioners/ Accused Nos.1&2

Vs

The Inspector of Police,  
Pattukkottai Pew Police Station,  
Thanjavur District  
(Crime No.543/2024).

... Respondent/ Complainant

For Petitioners : B.Anandan, Advocate.

For Respondent : Mr.K.Sanjai Gandhi,

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.543 of 2024 on the file of the Respondent Police



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**ORDER :** The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(g), 4(1)(aaa) r/w 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.543 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the other accused were found in illegal possession of 150 litre of illicit arrack worth about Rs.75,000/-. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the co-accused (A3 & A4) were already released on bail by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.Side) would submit that the investigation is in preliminary state. The first petitioner is having 1 previous case and the second petitioner is having 4 previous cases. However, he fairly conceded that the co-accused were already released on bail.

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

6.Accordingly, the petitioners are ordered to be released on bail in the event of



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arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Pattukkottai, Thanjavur District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners 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 petitioners shall report before the respondent police daily at 10.30 am until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/ Trial Court himself as laid down by the Hon'ble Supreme Court



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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/-  
25/07/2024

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/ 08 /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 COURT,  
PATTUKKOTTAI, THANJAVUR DISTRICT,

2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE  
PATTUKKOTTAI PEW POLICE STATION,  
THANJAVUR DISTRICT

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

+1 CC to M/s.B.ANANDAN, Advocate ( SR-8784[I] dated 26/07/2024 )



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ORDER  
IN  
CRL OP(MD) No.11560 of 2024  
Date :25/07/2024

PSP/GJB/SAR /07.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified  
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