



CRL OP(MD). No.16500 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16500 of 2024

Thangapandi,

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
Crime No. 365/2024..

... Respondent/ Complainant

For Petitioner : Dhilipan Pandian R L,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 365 of 2024 on the file of the Respondent police.



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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 4(1)(C) and 4(1-A)(ii) of TNP Act, 2024 in Crime.No.365 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein and other accused have illegally found in possession of 70 bottles of liquor each contains 180 ml. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegation in this case that the petitioner is found to be in possession of 70 bottles of liquor each contains 180 ml and that the petitioner is 3rd accused in this case and also considering the fact that the petitioner is ready and willing to deposit a sum of Rs.5,000/-, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



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5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or 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.II, Thanjavur 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 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 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) As per undertaken, the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the Rajaji Hospital (the said amount should be transferred to Alcohol Awareness Programme) **(Account No:-7097546149, IFSC Code:- IDIB000T003, Indian Bank, Tallakulam Branch)**, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;



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

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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;

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

sd/-
14/10/2024

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/10/2024

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

TRP



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.II
THANJAVUR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE DEAN
GOVERNMENT RAJAJI HOSPITAL, MADURAI.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-12417[I] dated 15/10/2024
)

ORDER
IN
CRL OP(MD) No.16500 of 2024
Date :14/10/2024

SS/MMS/SAR- /19/10/2024/ 5P/7C

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