



CRL OP(MD). No.16927 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16927 of 2024

Rajaguru,

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
PEW, Srivilliputhur,
Virudhunagar District,
Cr.No.572 of 2024..

... Respondent/ Complainant

For Petitioner : Mr.R.J.Karthick,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.572 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner / A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(a) and 4(1)(B) of the Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.572 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused persons were found in illegal possession of 349 numbers of liquor bottles. Hence, the complaint.

3. Heard. Perused the materials available on record including the First Information Report.

4. Considering the nature of allegations that the petitioner is running a bar and that even after the closure time, the petitioner along with other accused persons were trying to sell the liquor bottles and considering the fact that the petitioner does not have any other bad antecedents and also considering the argument of the learned counsel for the petitioner that the petitioner is ready to pay some amount to



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the credit of Government Rajaji Hospital for the De-Addiction Centre, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions:

5. Accordingly, 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 on which the order copy made ready, before the learned Judicial Magistrate, Rajapalayam, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 the undertaking given by the petitioner, the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Government Rajaji Hospital, Madurai, (Account No.7097546149, IFSC Code: IDIB000T003, MICR Code; 525019008, Indian Bank, Madurai), for the De-Addiction Centre, without prejudice to his rights and contentions before the trial Court;



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[c]the petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two 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].

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

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

TSG
TO

1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
PEW,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT,

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

COPY TO:

1 THE DEAN
GOVERNMENT RAJAJI HOSPITAL, MADURAI.

2 THE OFFICER INCHARGE,
DEADDICTION CENTRE,
GOVERNMENT RAJAJI HOSPITAL, MADURAI.

ORDER
IN

CRL OP(MD) No.16927 of 2024

Date :04/10/2024

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

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