



CRL OP(MD). No.16939 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.16939 of 2024

Ajin

... Petitioner/ Accused No.2

Vs

State of Tamilnadu,
Rep by its the Inspector of Police,
PEW,
Thuckalay,
Kanyakumari District
Crime No. 424 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.R J Karthick Jaganathan,

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. 424 of 2024 on the file of the respondent police



CRL OP(MD). No.16939 of 2024

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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)(A), 14(A) TN Prohibition (Amendment) Act, 2024 and Section 336(3), 336(4), 218 (4) and 350 of BNS, in Crime No.424 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the accused were found with illegal possession of five blue colour plastic barrels containing branded liquor bottles and 60 liquor label. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the quantity of liquor, considering the fact that the first accused has already been arrested and released on bail and also considering the fact that there are no bad antecedents against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CRL OP(MD). No.16939 of 2024

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5. Accordingly, this Petition is allowed and 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-I at Kuzhithurai**, 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) the petitioner shall report before the respondent police daily **at 10.30 am for a period of three weeks**;

(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;



CRL OP(MD). No.16939 of 2024

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(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/-
04/10/2024

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/10/2024

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

LR

TO

1 THE JUDICIAL MAGISTRATE NO.I
KUZHITHURAI

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.



CRL OP(MD). No.16939 of 2024

3 THE INSPECTOR OF POLICE,
PEW, THUCKALAY, KANYAKUMARI DISTRICT

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

ORDER

IN

CRL OP(MD) No.16939 of 2024

Date :04/10/2024

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

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