



CRL OP(MD). No.17368 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2024

PRESENT

THE HON`BLE MR.JUSTICE K. RAJASEKAR

CRL OP(MD). No.17368 of 2024

M.Sethupathi

... Petitioner /Sole Accused

Vs

The State represented by
The Inspector of Police,
M.Reddiapatti Police Station,
Virudhunagar District.
(Crime No. 114 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Kishore Kumar
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.114 of 2024 on the file of the Respondent police.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.17368 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(A), 14(A) of Tamil Nadu Prohibition (Amendment) Act, 2024, in connection with Crime No.114 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 03.10.2024 at 8.30 p.m., when the respondent police were in regular patrol duty, on receiving secret information intercepted the two wheeler driven by the petitioner and found 18 express Special Brandy Bottles having quantity of 180 ml each and a Samsung Cell Phone with a sum of Rs.650/-. On seeing the respondent, the petitioner fled away from the scene of occurrence. The properties were recovered and the case is registered.

3. The learned counsel for the petitioners submits that he has not committed any offences as alleged by the prosecution. He has been falsely implicated in this case only by suspicion.

4. The learned Government Advocate(Crl.side) appearing for the respondent submits that the petitioner was in illegal possession of 18 Express Special Brandy



CRL OP(MD). No.17368 of 2024

Bottles and he is having two previous cases in similar nature.

WEB COPY

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

6. Accordingly, this Criminal Original 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, Aruppukottai, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 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 one week.
- (c) the petitioner shall not tamper with evidence or witness either during



CRL OP(MD). No.17368 of 2024

WEB COPY

- investigation or trial;
- (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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
09/10/2024

/ TRUE COPY /

/10/2024
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

TO

1.THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI,

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



CRL OP(MD). No.17368 of 2024

3.THE INSPECTOR OF POLICE, M.REDDIAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.S.KISHORE KUMAR, Advocate (SR-12364[I] dated 09/10/2024)

ORDER
IN
CRL OP(MD) No.17368 of 2024
Date :09/10/2024

RK/JGB(16/10/2024) 5P / 6C

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