



CRL OP(MD). No.17397 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.17397 of 2024

Durairaj

... Petitioner / Accused No.2

Vs

State of Tamilnadu,
represented by the Inspector of Police,
Madukkur Police Station,
Thanjavur District.
(Crime No.318 of 2024)

... Respondent/Complainant

For Petitioner : Mr.B.Anandan, 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.318 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who apprehend arrest at the hands of the



CRL OP(MD). No.17397 of 2024

WEB COPY

respondent police for the offences punishable under Sections 4(1)(c) and 4(1-A) of Tamil Nadu Prohibition (Amendment) Act, 2024, in connection with Crime No.318 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 23.09.2024 when the respondent police were in regular patrol duty, on receiving secret information regarding selling government liquor, searched the petitioner's house and found 25 numbers of 180 ml each, TASMAL liquor bottles. The petitioner was arrested and the property was recovered. Hence the complaint.

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 26 numbers of 180 ml TASMAL liquor bottles and he is having four previous cases in similar nature.

5. Considering the facts and circumstances of this case and also the fact that the properties have been recovered by the respondent, 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



CRL OP(MD). No.17397 of 2024

WEB COPY

period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pattukkottai, Thanjavur District, 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 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



CRL OP(MD). No.17397 of 2024

[(2005) AIR SCW 5560]; and;

WEB COPY

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

PNN

To

1.The Judicial Magistrate,
Pattukkottai, Thanjavur District.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Madukkur 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-12396[I] dated 14/10/2024)

ORDER
IN

CRL OP(MD) No.17397 of 2024
Date :09/10/2024



CRL OP(MD). No.17397 of 2024

ED/ VR /SAR- (16/10/2024) 5P / 6C

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