



CRL OP(MD). No.18016 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Manikandan

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Budalur Police Station,
Thanjavur District
(Crime No.390 of 2024)

... Respondent/Complainant

For Petitioner : Mr.P.Surli Raja, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of the Bharatiya Nagarik Suraksha Sanhita.

PRAYER :-

For Anticipatory Bail in Crime No.390 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 4(1)(C) and 4(1-A)(i) of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.390 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 02.10.2024, while the respondent police and his men were on routine surveillance near narikuravar colony, the petitioner/accused, who was standing there, had ran away from the scene after seeing them. When the gunny bags in that place were searched, 239 bottles of liquor had been identified and the same were recovered. Hence, this case.

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

4. Considering the nature of the allegations as against the petitioner that in order to sell the liquor bottles even after the bar hours, the petitioner is said to have been in possession of 239 liquor bottles of 180 ml each, and also considering the argument of the learned counsel for the petitioner that the petitioner is ready to deposit some amount to the credit of Government Rajaji Hospital, Madurai for conducting Alcohol Awareness Campaign, I am inclined to enlarge the petitioner on anticipatory bail.

5. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of



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receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvaiyaru, 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 the undertaking given by the petitioner, the petitioner is directed to deposit a sum of Rs.8,000/- (Rupees Eight Thousand only) to the credit of Government Rajaji Hospital, Madurai, (Account No.7097546149, IFSC Code: IDIB000T003, MICR Code; 525019008, Indian Bank, Madurai), for conducting Alcohol Awareness Campaign, without prejudice to his rights and contentions before the trial Court.

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

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



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investigation or trial;

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

sd/-
21/10/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

To

1.The Judicial Magistrate,
Thiruvaiyaru, Thanjavur District.

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



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3.The Inspector of Police,
Budalur Police Station,
Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Officer Incharge,
Government Rajaji Hospital, Madurai.

+1 CC to M/s.P.SURLI RAJA, Advocate (SR-12889[I] dated 22/10/2024)

ORDER
IN

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Date :21/10/2024

ED/ RN /SAR- (13/11/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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