



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). Nos.19410 & 19443 of 2024

Crl.O.P.(MD).No.19410 of 2024

Poobalan,

Karanamaravar Street, Abiramam, Kamuthi,

Ramanathapuram District.

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,

Represented by the Inspector of Police,

Abiramam Town Police Station,

Ramanathapuram District.

(Crime No.146/2024).

... Respondent/ Complainant

Crl.O.P.(MD).No.19443 of 2024

Sathiyamoorthy @ Mukesh Thevar,

C/o. Narayanan,

No.10 1-4 Agathariruppu,

Abiramam, Kamuthi,

Ramanathapuram District.

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,

Rep by the Inspector of Police,

Abiramam Town Police Station,

Ramanathapuram District.

(Crime No.146/2024).

... Respondent/ Complainant



For Petitioners : Mr.Jayaram Sidharth N,
Advocate.

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

PETITIONS FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

COMMON PRAYER :-

For Anticipatory Bails in Crime No.146/2024 on the file of the Respondent Police

COMMON ORDER : The Court made the following common order :-

The petitioners / Accused Nos.1 and 2, who apprehend arrest at the hands of the respondent Police for the offence under Sections 4(1)(a) and 4(1)(i) of the Tamil Nadu Prohibition Act in Crime No.146 of 2024 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons were involved in selling the TASMAL brandy bottles at highest rates.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that all these brandy bottles have been seized by the respondent Police and there are no previous case pending against these petitioners, this Court is

inclined to grant anticipatory bail to the petitioners subject to the following conditions.



5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kamuthi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent police as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners 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/-
11/11/2024

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/11/2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE JUDICIAL MAGISTRATE, KAMUTHI.

2.DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE,
ABIRAMAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.19410 of 2024
Date :11/11/2024

MGJ(25.11.2024) 5P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023