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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). No.19416 of 2024

1. Palanivel,

2. Daniel,

... Petitioners/ Accused Nos.2 and 3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Peravurani Police Station,
Thanjavur District.
Crime No.247 of 2024..

... Respondent/ Complainant

For Petitioners : Mr.Murugesan.D.R,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 247 of 2024 on the file of the Respondent Police.



ORDER : The Court made the following order :-

The petitioners / Accused Nos.2 and 3, who apprehend arrest at the hands of the respondent Police for the offence under Sections 4(1)(C) and 4(1)(A) of the Tamil Nadu Prohibition (Amendment) Act in Crime No.247 of 2024 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that when the Police team conducted a ride, Accused No.1 was found to be in possession of 192 bottles of liquor and they were attempting to sell it at higher rates. Based on the confession of Accused No.1, these petitioners are arrayed as Accused Nos.2 and 3.

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 the Accused No.1 was found to be in possession of 192 TASMAC bottles and these petitioners have been roped in this case based on the confession of Accused No.1, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.



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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 District Munsif cum Judicial Magistrate, Peravurani 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 every Friday at 05.30 p.m. for a period of four weeks and thereafter, 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;

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



[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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

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TO

- 1.The District Munsif cum Judicial Magistrate,
Peravurani.
- 2.Do Through
The Chief Judicial Magistrate,
Thanjavur District.
- 3.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.19416 of 2024
Date :11/11/2024

KVL (26.11.2024) 4P/ 5C

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