



WEB COPY

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

Date : 12/11/2024

PRESENT

The Hon`ble Mr.Justice **N.ANAND VENKATESH**

CRL OP(MD). No.19524 of 2024

Palanivel

... Petitioner/ Accused

Vs

The State of Tamilnadu Rep.,
By, the Inspector of Police,
Peravurani Police Station,
Thanjavur District.
Crime No. 246 of 2024.

... Respondent/ Complainant

For Petitioner : M/s. Murugesan.D.R,

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. 246 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 4(1)(C), 4(1)(A) of Tamil Nadu Prohibition (Amendment) Act in Crime No.246 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the accused persons were found in possession of 144 brandy bottles purchased from TASMAL and it was attempted to be sold for higher price. There are totally two accused persons in this case and the petitioner has been arrayed as A1.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that brandy bottles have already been seized and there are three previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his 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 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

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

[b] 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.

[c] the petitioner shall report before the **respondent police every Monday and Friday at 05.30 p.m for a period of six weeks** and thereafter, as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/11/2024

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/11/2024

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

LR

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1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PERAVURANI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE 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.19524 of 2024
Date :12/11/2024

BV (25/11/2024) 4P/ 5C

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