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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19607 of 2024

1. Arul

2. Rajarajan

... Petitioners/
Accused Nos.1 & 3

Vs

The State of Tamil Nadu,
Rep. By, the Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur District.
(Crime No.271 of 2024).

... Respondent/Complainant

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

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.271 of 2024 on the file of the Respondent Police.



ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 4(1)(B), 4(1)(A) of Tamil Nadu Prohibition (Amendment) Act r/w.304 (2) of BNS and apprehending arrest by the respondent police in Crime No.271 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons were found running bar without proper licence. There are totally three accused persons in this case and the petitioners have been arrayed as A1 and A3.

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

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is ordered and 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 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 petitioners shall report before the respondent police as and when required for interrogation.

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

[e] the petitioners 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 petitioners 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;



[g] 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.

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PERAVURANI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THANJORE
DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
THIRUCHITRAMBALAM POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER

IN

CRL OP(MD) No.19607 of 2024

Date :13/11/2024

MGJ(25.11.2024) 5P 5C

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