



CRL OP(MD). No.20524 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20524 of 2024

P.Ganesan

... Petitioner/ Accused 2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
Crime No.492 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.Marimuthu N., 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.492 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 Section 4(1-A), 4(1-B), 4(1-C) of TNP Act in Crime



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No.492 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 respondent Police was conducting a regular picketing during the prohibition time. They found that A1 was in possession of 217 liquor bottles, each containing 180ml of liquor. These liquor bottles were attempted to be sold for higher prices. The petitioner has been arrayed as A2 and A1 is said to have purchased liquor bottles from A2.

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

4. Taking into consideration of the facts and circumstances of the case and considering the fact that the entire liquor bottles have been seized and A1 was arrested and later, enlarged on bail and considering the previous cases against the petitioner for similar offence, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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 Judicial Magistrate No.II, Srivilliputhur at Virudhunagar 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



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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 on every Monday and Friday at 05.30p.m., for a period of eight weeks, 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



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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 269 of BNS Act.

sd/-
26/11/2024

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/12/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

1 THE JUDICIAL MAGISTRATE NO.II,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.20524 of 2024
Date :26/11/2024

SA/SKN/SAR. /06.12.2024/5P/5C

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