



CRL OP(MD). No.20506 of 2024

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

Date : 25/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20506 of 2024

1. Sundaramoorthi
2. Ayyanarsamy
3. Thangamalai
4. Dharmendhiran

... Petitioners/ Accused Rank Not Known

Vs

The Inspector of Police,
Virudhunagar West Police Station,
Virudunagar District.
(Crime No. 140 of 2023)

... Respondent/Complainant

For Petitioners : Mr.K.Seenuramachandran, 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. 140 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under 4(1)(aa), 4(1)(i) and 24 of Tamilnadu Prohibition Act in

Crime No.140 of 2023 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 indulged in selling liquor illegally at the time of prohibition, thereby 768 beer bottles, 240 tin beer bottles and 94 bottles of brandy was sold. Totally, there are 7 accused persons in this case. The petitioners have been arrayed as (*)**A4 to A7**.

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 circumstance of this case and considering the manner in which the incident had taken place and there are no previous cases against the 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 No.1, Virudhunagar, on condition that the petitioners shall execute bonds 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.



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[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 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;

[f] if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-

25/11/2024

(*)CORRECTED AS PER THE ORDER OF THIS HON'BLE COURT IN CRL OP(MD)No.20506 of 2024 dated 03/12/2024.

FURTHER TIME FOR EXECUTION OF SURETIES IS EXTENDED FOR A PERIOD OF ONE WEEK FROM TODAY.

/ TRUE COPY /

03/12/2024

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



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TO

TO BE SUBSTITUTED WITH THE ORDER DATED 25/11/2024 ALREADY DESPATCHED.

1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.K.SEENURAMACHANDRAN, Advocate (SR-14480[I] dated
25/11/2024)

ORDER
IN
CRL OP(MD) No.20506 of 2024
Date :25/11/2024

RS/VR/SAR-(28.11.2024) 4P 6C
PNM

SS/SAR-(03.12.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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