



CRL OP(MD). No.21921 of 2024

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

Date : 12.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.21921 of 2024

Bhagavathi Kumar

... Petitioner / Accused Rank Not Known

Vs

The State of Tamil Nadu

Represented by the Inspector of Police,
Prohibition Enforcement Wing,
Tirunelveli City.

(Crime No.408 of 2024)

... Respondent/Complainant

For Petitioner : Mr.D.Arun Kumar, Advocate

For Respondent : Mr.A.Albert James,

Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 408 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 offences under Sections 4(1)(A) and 14(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.408 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons had purchased 1111

bottles of liquor each containing 180 ml from Goa and they were illegally

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



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transporting the same to Tamil Nadu. There are totally 9 accused persons in this case and the petitioner has been arrayed as A5. A1 to A4 and A6 were arrested and the entire liquor bottles have been seized. This petitioner has been added as an accused based on the confession of A3.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the entire liquor bottles have been seized and there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Tirunelveli, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb



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Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent on every Monday and Friday at 5.30 p.m. for a period of 6 weeks and thereafter, as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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].

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

sd/-
12/12/2024

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



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TO

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1 THE JUDICIAL MAGISTRATE
NO.I, TIRUNELVELI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING,
TIRUNELVELI CITY,

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

ORDER
IN

CRL OP(MD) No.21921 of 2024

Date :12/12/2024

PSP/ GSV /SAR /26.12.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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