



CRL OP(MD). No.23126 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Dinesh,

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Vachakarapatti Police Station,
In Crime No.351/2024.
Virudhunagar District..

... Respondent/Complainant

For Petitioner :Mr.G Chandru,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.351/2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 4(1)(A) and 4(1)(C) of the Tamil Nadu Prohibition (Amendment) Act, 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner smuggled 54 illegal liquor bottles. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case based on the confession of the co-accused and he has not committed any offence as alleged by the prosecution. Hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner had illegally transported 54 bottles of liquor and there is no previous criminal case pending against the petitioner and only based on the confession statement of the co-accused, the petitioner has been implicated in this case and the co-accused has already been released on bail. However, he opposed to grant



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anticipatory bail to the petitioner.

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5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, the fact that only based on the confession statement of the co-accused, the petitioner has been implicated in this case, that the co-accused has already been released on bail, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.1, Virudhunagar, and on further conditions that:

[b] the petitioner shall report before the respondent police every Saturday at 10.00 a.m. for a period of four weeks, and thereafter as and when required for the interrogation.



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[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

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

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

sd/-
27/12/2024

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/01/2025

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

SM
TO

1. The Judicial Magistrate No.1, Virudhunagar
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District @ Srivilliputhur.



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3. The Inspector of Police,
Vachakarapatti Police Station,
Virudhunagar District..

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.CHANDRU, Advocate (SR-15919[I] dated 27/12/2024)

ORDER
IN
CRL OP(MD) No.23126 of 2024
Date :27/12/2024

RK/SKN (02/01/2025) 5P / 6C

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