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CrI.O.P.No.1763 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1763 of 2025

Annamalai

Petitioner(s)

Vs

State rep. By

The Inspector of Police,

PEW, Attur Police Station,

Salem District.

(Cr.No.824 of 2024)

Respondent(s)

For Petitioner(s):

K.B.Vivekanandhan

For Respondent(s):

S.Santhosh

Government Advocate (criminal Side),
madras High Court.

ORDER

Apprehending arrest in connection with Crime No.824 of 2024 registered for the offences punishable under Sections 4(1)(c) and Section 4(1-A)(ii) of Tamil Nadu Prohibition Act, the present petition has been filed by the petitioner seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in



the case, learned counsel for the petitioner seeks indulgence of this Court.

He would submit that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner was found to be in illegal possession of 5 litres of ID arrack and 100 litres of fermented wash. He would further submit that there is no previous case against the petitioner herein.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.1, Attur**, 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 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 police everyday at 06.30 p.m until further orders.

[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].

A.D.JAGADISH CHANDIRA, J.

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[f] If the accused thereafter abscond, a fresh FIR can



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be registered under Section 269 of B.N.S.

27.01.2025

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To

1.The Judicial Magistrate No.1, Attur

2. The Inspector of Police,
PEW, Attur Police Station,
Salem District.

3.The Public Prosecutor
Madras High Court

Crl.O.P.No.1763 of 2025