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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD)No.8505 of 2025

Davidson ... Petitioner

Vs

State of Tamil Nadu,
represented by The Inspector of Police,
Rameshwaram Town Police Station,
Ramanathapuram District,
(Crime No.97 of 2025) ... Respondent

For Petitioner : Mr.Maruthupandian

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.97 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the

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respondent police for the offences punishable under Sections 4(1)(A) of Tamil Nadu Prohibition Act, 1937, in Crime No.97 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that while the respondent police was conducting patrol duty on secret information, the petitioner was illegally carrying 54 liquor bottles on his car bearing Registration No.TN-65-BD-5619. On seeing the respondent police, the petitioner fled the place of the occurrence. Hence, the respondent police registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that he has been falsely implicated in this case and he has not committed any offence.

4.The learned Government Advocate (Crl.) appearing for the respondent on instruction would submit that there is no previous case pending as against the petitioner. The properties involved in this case have been seized. He objects to grant anticipatory bail to the petitioner.

5.Considering the fact that the properties involved in this case were recovered and there is no previous case as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6.Accordingly, 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

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date on which the order copy made ready, before the learned Judicial Magistrate, Rameshwaram, 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 daily at 10.30 a.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].

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

sd/-
08/05/2025

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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MRN
TO
1.The Judicial Magistrate, Rameshwaram.
2.Do through the Chief Judicial Magistrate,Ramanathapuram.
3.The Inspector of Police, Rameshwaram Town Police Station,Ramanathapuram District.
4.The Additional Public Prosecutor,Madurai Bench Of Madras High Court,Madurai.

ORDER IN
CRL OP(MD) No.8505 of 2025
Date :08/05/2025

PP/26.05.2025 4P/5C

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

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