



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

Date : 30/06/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.6497 of 2020

S.Kumar

... Petitioner/Sole Accused

Vs

The State rep. by  
The Inspector of Police,  
Pew Kumbakonam Police Station,  
Thanjavur District.  
(Crime No. 454/2020).

... Respondent/Complainant

For Petitioner : M/s.U.Umamaheswaran,  
Advocate.

For Respondent : Mr.S.Chandarasekar,  
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.454 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2.The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(a) and 4(1-A) of TN Prohibition Act, in Crime No.454 of 2020, on the file of the respondent police, seeks anticipatory bail.

3.The petitioner herein was found in possession of 20 liters of arrack and 10 bottles IMFL liquor stocked at his house. On information, the respondent police has searched his house and

<https://hccservices.mca.gov.in/hccservices/>



case has been registered.

4.The learned Additional Public Prosecutor appearing for the State strongly opposed to grant anticipatory bail to the petitioner.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned District Munsif-cum-Judicial Magistrate, Thiruvudaimaruthur, Thanjavur District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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)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]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
30/06/2020

/ TRUE COPY /

/ /2020  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE DISTRICT MUNSIF-CUM-JUDICIAL MAGISTRATE,  
THIRUVIDAIMARUTHUR,  
THANJAVUR DISTRICT.

2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE,  
THANJORE DISTRICT AT KUMBAKONAM

3 THE INSPECTOR OF POLICE  
PEW KUMBAKONAM POLICE STATION,  
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.6497 of 2020

Date :30/06/2020

PD/JC/SAR 2/01.07.2020/3P/5C