

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,  
Vacation Sessions Judge, Theni,

**Dated this the 21<sup>st</sup> day of May 2024**

**CrI.M.P. No.142/2024 in**

**CrI.M.P.No.842/2024**

**CNR.No.TNTH01-000172-2024**

Vigneshwaran

... Petitioner/Accused

-Versus-

State through the Inspector of Police,

P.E.W Theni in

Cr.No.189/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru. S.Kajamydeen, Learned Counsel for the petitioner and the Learned Public Prosecutor for the State and this Court passed the following :

### **ORDER**

This petition has been filed by the petitioner/accused U/s.438 of Code of Criminal Procedure seeking anticipatory bail.

### **2. The Nitty-Gritty of the prosecution case is as follows :-**

On 20.02.2024 at 9.30 a.m., when the police party searched the co-accused namely Veeran, he possessed liquor bottle and illicit arrack. After seized the liquor, case registered against the petitioner and co-accused U/s.4(1) (a), 4(1) (A) TNP Act.

3. Heard both sides.

4. The points for determination is that can the petitioner be released on anticipatory bail.

**Answer :**

5. As reveal from FIR, the co-accused possessed liquor bottle and illicit arrack. On the information given by the co-accused the petitioner is arraigned as accused in the FIR. Having considered the above ground and circumstances of the case, I inclined to release the petitioner on anticipatory bail.

6. Therefore it is ordered that in the event of arrest by the Respondent or on his surrender before the Learned Judicial Magistrate at Theni within 15 days from the date of this order, the petitioner shall be released on bail on his executing a bond for sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for like sum. The following conditions are imposed on the petitioner :-

i) The petitioner shall appear before the Learned Judicial Magistrate at Theni daily at 10.30 a.m., and 5.00 p.m., for the period of 30 days after his release.

ii) The petitioner shall not tamper with evidence or witnesses either during the investigation or trial.

iii) The petitioner shall not abscond either during the investigation or trial.

7. 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 laid down by the Hon'ble Supreme Court in P.K.Shaji – Vs- State of Kerala ( 2005) AIR SCW 5560).

..3..

8. If the petitioner/accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

Pronounced by me in open Court on this the 21<sup>st</sup> day of May 2024.

**Vacation Sessions Judge,  
Theni.**

**Copy to:**

The Judicial Magistrate, Theni.

The Public Prosecutor, Theni.

The petitioner through his Counsel.

The Inspector of Police, Theni.