



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

Wednesday, the Sixth day of May Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.8975 of 2015

WEB COPY

1 KUPPAN	... PETITIONER/ACCUSED NO.1
2 KUMARAN	... PETITIONER/ACCUSED (RANK NOT KNOWN)

Vs

STATE REP.BY THE INSPECTOR OF POLICE PROHIBITION ENFORCEMENT WING POLICE STATION, TIRUNELVELI CITY, CRIME NO.254/2015	... RESPONDENT/COMPLAINANT
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For Petitioner : M/S.S.RAMASAMY Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 15.04.2015 for the offences punishable under Sections 4(1) (aaa) r/w 4(1)(A), 4(1) (g), 4(1)(h), 4(1)(jj), 7 of TNP Act, Section 66 of TNP Act, 465, 467, 468, 471 & 420 I.P.C in Crime No.254 of 2015 on the file of the respondent police, seek bail.

2. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.side) appearing for the State.

3. It is seen that the co-accused have already been arrested and granted bail, by the Principal Sessions Court, Tirunelveli Division, in Crl.M.P.Nos.2565, 2591, 2592 and 2593 of 2015, by way of a common order dated 29.04.2015. The bail application of the first petitioner was dismissed by the Sessions Court on the ground that he is the manufacturer of the illicit liquor, whereas, the learned Government Advocate (Crl.side) submits that the first petitioner is the driver and as regards the second petitioner, his name does not figure in the First Information Report. He would further submit that there is no previous case against the petitioners.



4. Considering the fact that the co-accused have already been released on bail and also considering the fact that there is no previous case against the petitioners, this Court is inclined to grant bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail on their executing 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 Judicial Magistrate, No.I, Tirunelveli and on further conditions that:

[a] the petitioners shall report before the respondent police daily twice at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter, as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

sd/-
06/05/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
 - 4 THE INSPECTOR OF POLICE
PROHIBITION ENFORCEMENT WING POLICE STATION, TIRUNELVELI CITY.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.RAMASAMY Advocate SR.No.25125

ORDER
IN

CRL OP(MD) No.8975 of 2015
Date : 06/05/2015