



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

Tuesday, the Tenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2129 of 2015

1 THAYALAN
2 DEVARAJ

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
PROHIBITION EXCISE WING, TRICHY,
IN CRIME NO.53/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. C.M. ARUMUGAM Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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 20.01.2015 for the offences punishable under Sections 4(1)(aaa) r/w 4 (1-A) of the Tamil Nadu Prohibition Act,1937, in Crime No.53 of 2015 on the file of the respondent police, seek bail.

2. The case of the prosecution is that these petitioners were found in possession of 464 bottles of Pondicherry liquors with fake labels. They were arrested on 20.01.2015. There is no previous case against these petitioners.

3. Since the petitioners have been in custody for a period of twenty days, this Court is inclined to grant bail to the petitioners.

4. 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 learned Judicial Magistrate V, Trichy and on further condition that:

[a] the petitioners shall report before the respondent police twice a day daily at 10.30 a.m. And 6.30 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. The conditions laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioners are complying with the order or not.

sd/-

10/02/2015

/ TRUE COPY /

WEB COPY

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

TO

1.THE JUDICIAL MAGISTRATE NO.V,TRICHY.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE INSPECTOR OF POLICE
PROHIBITION EXCISE WING, TRICHY.

5.THE SUPERINTENDENT CENTRAL PRISON, TRICHY.

+1. CC to M/S. C.M. ARUMUGAM Advocate SR.No.5997

ORDER

IN

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Date :10/02/2015

RG.10.02.2015

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