

Crl.O.P.No.11191 of 2016**B.GOKULDAS, J.**

The petitioner, who was arrested and remanded to judicial custody on 10.05.2016 for the offences punishable under Sections 4(1) (aa) r/w.4(1-A) of TNP Act in Crime No.323 of 2016, on the file of the respondent Police, seeks bail.

2. Heard both sides.

3. The case of the prosecution is that the petitioner was found in possession of 50 litres of I.D. arrack.

4. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

5. The learned Government Advocate (Criminal side) appearing for the respondent would submit that the petitioner has got three previous cases which are similar in nature and the earlier bail application was dismissed by the Principal District and Sessions Court, Perambalur on 11.05.2016.

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6. Taking into consideration the facts and circumstances of the case, this Court is of the view that this is a fit case to grant bail to the petitioner / Accused. Accordingly, he is ordered to be released on bail, subject to the following stringent conditions:

- (i) the petitioner / Accused 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 learned Judicial Magistrate, Permbalur.
- (ii) the petitioner / Accused shall report before the respondent police daily at 10.30 a.m until further orders.
- (iii) the petitioner / Accused shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner / Accused shall not abscond either during investigation or trial.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / Accused in accordance with law as if the conditions have been imposed and the petitioner / Accused 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]**.

26.05.2016

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