



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

Thursday, the Fourth day of August Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.13200 of 2016

N.T.S.RAMESH

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PEW-PALANI POLICE STATION,
DINDIGUL DISTRICT.
CR.NO.441/2016

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S S.R.SURESH KUMAR Advocate

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

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

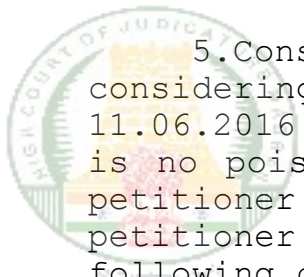
ORDER : The Court Made the following order :-

The petitioner is arrayed as accused, who was arrested and remanded to judicial custody on 11.06.2016 for the alleged offences punishable under Sections 4(1)(a), 4(1)(aaa), 4(1-A) of Tamil Nadu Prohibition Act and Section 5,6 and 7 of Rectified Sprit Rules, 2000, in Crime No.441 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 11.06.2016, the Police Party went to search in Kodaikanal area. On seeing the Police vehicle, the petitioner ran away from the place of occurrence. The police party rounded up and caught hold him and found in possession of 105 Litres of Sprit. On complaint, a case has been registered against the petitioner.

3.The case of the petitioner is that the petitioner running a hotel and doing agricultural work at Mannavanur and due to the political enmity, a false case has been foisted against the petitioner and he was in judicial custody from 11.06.2016, prays for enlarging him on bail.

4. The learned Government Advocate(Crl.side) submitted that the petitioner has purchased 105 Litres of Sprit for sale at higher price and the same has been seized by the respondent Police and he produced the Chemical analysis report. Reading of the report reveals that there is no poisonous substances.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 11.06.2016 and since the Chemical Analysis Report reveals that there is no poisonous substances, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner 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, Kodaikanal.
- (ii) the petitioner shall report before the respondent police daily at 10.30 a.m. and 05.00 p.m. until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner 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 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].

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

04/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KODAIKANAL.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
 - 3 THE OFFICER INCHARGE, DISTRICT JAIL, DINDIGUL.
 - 4 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 5 THE INSPECTOR OF POLICE, PEW-PALANI POLICE STATION, DINDIGUL DISTRICT.
- +1. CC to M/S K.ANANDAN, Advocate SR.No.41835

ORDER

IN

CRL OP(MD) No.13200 of 2016

Date : 04/08/2016