



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

Thursday, the Fourteenth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17195 of 2017

ANBURPOSE @ ANBUROSE

... PETITIONER/ACCUSED

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
WEST POLICE STATION, KUMBAKONAM,  
THANJAVUR DISTRICT,  
CRIME NO.521/2017

... RESPONDENT/COMPLAINANT

For Petitioner : Mrs.MAHALAKSHMI for M/S.A.RAHUL Advocate

For Respondent : MR.M.MURUGAN, Govt. Advocate for  
MR.K.ANBARASAN Govt. Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 21.11.2017, for the offences punishable under Sections 4(1)(a), 4(1)(A) of TNP Act, in Crime No.521 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 5 liters of Pondicherry arrack in polythene cover. Therefore the respondent Police registered a case and recovered the arrack.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. Due to previous case pending against the petitioner, the respondent police falsely implicated the petitioner in this case.

4.The learned Govt. Advocate ( Crl. Side) appearing for the State submitted that petitioner is having 14 previous cases, out of which 10 cases ended conviction and other 4 cases pending for trial before Court concerned.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Govt. Advocate ( Crl.



Side), this Court is inclined to grant bail to the petitioner. The petitioner is ordered to be released on bail, subject to the following certain conditions.

6. The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like-sum to the satisfaction of the learned Judicial Magistrate Court No.II, Kumbakonam;

(i) the petitioner shall report before the respondent police, daily at 10.00 a.m., until further orders.

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not abscond either during investigation or trial;

(iv) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioner shall not commit any offence while on bail;

(vi) 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 and the bail granted stands cancelled automatically.

sd/-

14/12/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM
- 2 THE CHIEF JUDICIAL MAGISTRATE  
THANJAVUR DISTRICT AT KUMBAKONAM
- 3 THE INSPECTOR OF POLICE,  
WEST POLICE STATION, KUMBAKONAM, THANJAVUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT  
CENTRAL PRISON, TRICHY

+1. CC to M/S.A.RAHUL Advocate SR.No.36219

ORDER

IN

CRL OP(MD) No.17195 of 2017

Date :14/12/2017

SMA/CM/SAR-4/14.12.2017:2P/7C