



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

Friday, the Third day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.2291 of 2017

NARI @ BABU @ NARENDRABABU

... PETITIONER/ ACCUSED NO.10

Vs

STATE REP BY
STAT THROUGH
THE INSPECTOR OF POLICE,
DEVARKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.91 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.MAHESWARAN Advocate

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

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

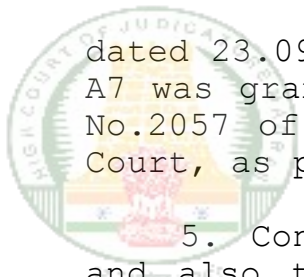
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 05.11.2016, for the offences punishable under Section 4 (1) (a) (Transport), 4 (1) (aaa), 4 (1) (A) of TNP Act r/w. Sections 468, 471, 473, 484, 486, 487 and 420 of IPC., in Crime No.91 of 2016, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused have collected fake holograms and labels relating to TASMAL from the other accused persons and supplied the same to other accused, who sold spurious liquor to the general public.

3. The learned counsel appearing for the petitioner states that co-accused were granted bail in this case and the petitioner has been falsely implicated and the investigation is almost over and all the witnesses have been already examined. The petitioner was arrested and in custody from 09.01.2017 onwards.

4. The learned Government Advocate (crl.side) appearing for the respondent states that there are totally 10 accused in this case and the petitioner herein is A10. The co-accused / A1 to A3 were released on bail by the concerned Sessions Court; A4 and A9 are detained under Goondas Act; A5 and A6 were granted anticipatory bail by this Court, as per the order in Crl.O.P(MD)No. 17724 of 2016,



dated 23.09.2016 and Crl.O.P(MD) No.17714 of 2016, dated 05.01.2016; A7 was granted bail by this Court, as per the order in Crl.O.P(MD) No.2057 of 2017, dated 27.02.2017 and A8 was granted bail by this Court, as per order in Crl.O.P(MD)No.2189 of 2017, dated 01.03.2017.

5. Considering the above facts and circumstances of the case and also the release of co-accused in this case, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his 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 No.III, Tirunelveli, and on further condition that:

[a] the petitioner shall report before the respondent Police, daily at 10.30 a.m., until further orders, for interrogation.

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

[c] the petitioner 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 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].

sd/-

03/03/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.
- 4 THE INSPECTOR OF POLICE,
DEVARKULAM POLICE STATION, TIRUNELVELI DIST.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.MAHESWARAN Advocate SR.No.12372

ORDER

IN

CRL OP(MD) No.2291 of 2017

Date :03/03/2017