



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

Thursday, the Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice N.AUTHINATHAN

CRL OP(MD) No.5599 of 2017

P.MANI,

... PETITIONER/SOLE ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
PEW THUCKALAY POLICE STATION,
KANYAKUMARI DISTRICT.
IN CRIME NO.325/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.SATHEESH Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Cr1. 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 21.04.2017 for the offence punishable under Section 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.325 of 2017 on the file of the respondent police, seeks bail.

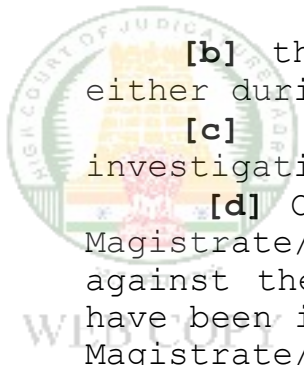
2. It is alleged by the State that the petitioner was found in possession of 1 ½ liters of illicit liquor.

3. The learned counsel appearing for the petitioner would submit that this case has been registered for stastic purpose and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. Having regard to the fact that the entire property was recovered and the investigation is almost completed, I am inclined to grant bail to this petitioner.

5. 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 Principal District Munsif Cum Judicial Magistrate, Eraniel and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 am for a period of four weeks and thereafter, as and when required 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/-

04/05/2017

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL DISTRICT MUNSIF
CUM JUDICIAL MAGISTRATE, ERANIEL
 - 2 THE JUDICIAL MAGISTRATE,
KANNIYAKUMARI AT NAGERCOIL
 - 3 THE INSPECTOR OF POLICE,
PEW THUCKALAY POLICE STATION,
KANYAKUMARI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 5 THE OFFICER IN CHARGE
DISTRICT JAIL, NAGERCOIL, KANYAKUMARI DISTRICT
- +1. CC to M/S.C.SATHEESH Advocate SR.No.21863

ORDER

IN

CRL OP(MD) No.5599 of 2017

Date :04/05/2017

SMA/KKR/SAR-4/04.05.2017:2P/7C