



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.5671 of 2017

MURUGAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
PEW-SRIVILLIPUTHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.191 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.GANESH PRABU Advocate

For Respondent : 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, who was arrested and remanded to judicial custody on 24.04.2017 for the offence punishable under Section 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.191 of 2017 on the file of the respondent police, seeks bail.

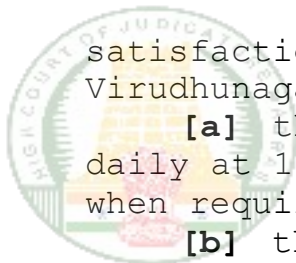
2. It is alleged by the State that the petitioner was found in possession of 11 bottles of illicit liquor.

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

4. The learned Government Advocate (Crl. Side) would submit that there is no previous case against the petitioner and the investigation is pending.

5. Having regard to the fact that the entire property was recovered and the petitioner is not having any previous case, I am inclined to grant bail to this petitioner.

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, Sivakasi, Virudhunagar District 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 JUDICIAL MAGISTRATE,
SIVAKASI, VIRUDHUNAGAR DISTRICT
 - 2 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT
 - 3 THE INSPECTOR OF POLICE,
PEW-SRIVILLIPUTHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 - 4 THE OFFICE INCHARGER,
SUB JAIL, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.R.GANESH PRABU Advocate SR.No.21849
- JAM/04.05.17/KKR/SAR CO/2P-7C

ORDER

IN

CRL OP(MD) No.5671 of 2017

Date : 04/05/2017