



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

Tuesday, the First day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.9968 of 2017

RAMARPANDI

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY ITS,
THE SUB INSPECTOR OF POLICE
PULIYANGUDI POLICE STATION,
TIRUNELVELI DISTRICT,
CR NO. 266/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent : MR.C.RAMESH, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 13.06.2017 for the alleged offences punishable under Sections 4(1-A) of TNP Act, in Crime No.266 of 2017, on the file of the respondent police, seeks bail.

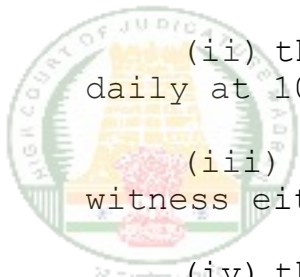
2.The case of the prosecution is that the petitioner along with other accused were found in possession of 3 ½ litres of Brandy.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor submitted that the petitioner has 10 previous cases and investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 13.06.2017 onwards, 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, Sivagiri;



(ii) the petitioner shall report before the respondent police daily at 10.30 a.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]**.

sd/-
01/08/2017

/ TRUE COPY /

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

PJL
TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGIRI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT
- 3 THE SUB INSPECTOR OF POLICE
PULIYANGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.27754

GJM/CM/MSA/SAR-3-2.8.17-2P-7C

ORDER
IN
CRL OP(MD) No.9968 of 2017
Date :01/08/2017