



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

Wednesday, the Fourth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.5175 of 2018

M.KALIDASS

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
P.E.W.POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.
(CRIME NO.174 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.S.VAIGUNTH Advocate

For Respondent : MR.PRABU RAMACHANDRAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner was arrested by the respondent police on 17.03.2018 and remanded to judicial custody. The case against him is for the offence punishable under Section 4(A) of TNP Act, in Crime No.174 of 2018, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 17.03.2018 when the respondent police conducted vehicle checkup, the petitioner was found in possession of 104 liquor bottles, each containing 180 ml of spurious brandy. On complaint, the case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that there are as many as three previous cases pending against the petitioner and he opposed grant of bail to him.

5.Considering the nature of allegations levelled against the petitioner and also considering the fact that he is in judicial custody from 17.03.2018, 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:



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(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 No.I, Kovilpatti.

(ii) The petitioner shall appear before the respondent police as and when required for interrogation.

(iii) The petitioner shall not abscond.

(iv) 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/-
04/04/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, KOVILPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE OFFICER IN CHARGE,
SUB JAIL, KOVILPATTI.

4 THE SUB INSPECTOR OF POLICE,
P.E.W.POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No.5411

ORDER
IN
CRL OP(MD) No.5175 of 2018
Date :04/04/2018