



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

Friday, the Twentieth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.6473 of 2018

BASKER @ KUMAR

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THANJAVUR PEW POLICE STATION, THANJAVUR,
CR NO. 189/2018.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.RAJAPRABU Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as the sole accused. He was arrested and remanded to judicial custody on 29.03.2018 for the offences punishable under Sections 4(1) (aaa) r/w 4(1-A) of TNP Act in Crime No.189 of 2018, on the file of the respondent police. He seeks bail.

2.The petitioner herein has illegally sold 1957 nos. of various brand of liquor bottles and they were recovered from him.

3.The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case and he is in judicial custody from 29.03.2018. Hence, he prays for bail.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that there is no previous case registered against the petitioner herein.

5.Taking note of nature of the allegation made against the petitioner, 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 No.I, Thanjavur.



(ii)the petitioner is directed to 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 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 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/-
20/04/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, THANJAVUR.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 - 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY
 - 4 THE INSPECTOR OF POLICE
THANJAVUR PEW POLICE STATION, THANJAVUR.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.RAJAPRABU Advocate SR.No.6672

ORDER
IN
CRL OP(MD) No.6473 of 2018
Date :20/04/2018

MKV-CM-VR-GSR/20.4.2018/2P-7C