



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

Tuesday, the Twenty Fourth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.12659 of 2018

SATHYA

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION,
THENI DISTRICT.
CRIME NO.253/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.SENGUTTUARASAN, 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 in judicial custody since 03.07.2018 for the offences punishable under Sections 4(1-A), 4(1)(i) of TNP Act in Crime No.253 of 2018, on the file of the respondent police. She seeks bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondent.

3.The learned Government Advocate (Crl.Side) appearing for the respondent opposed grant of bail by citing bad antecedents of the petitioner.

4.Since only five brandy bottles are involved in this case, taking into account the small quantity, 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, Periyakulam, Theni District;



(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation;

(iii) the petitioner shall not abscond.

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(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/-
24/07/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, PERIYAKULAM,
THENI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE OFFICER INCHARGE, SUB JAIL FOR WOMEN,
NILAKKOTTAI, DINDIGUL.
4. THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION, THENI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.P.SENGUTTUARASAN Advocate SR.No.13850

ORDER
IN
CRL OP(MD) No.12659 of 2018
Date :24/07/2018

MS/MMS/SAR-4/24.07.2018/2P.7C