



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

Wednesday, the Thirteenth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2270 of 2019

KARTHIKEYAN

... PETITIONER / ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
SOUTH POLICE STATION,
TUTICORIN.

Crime No.63 of 2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.KA.RAAMAKRISHINAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

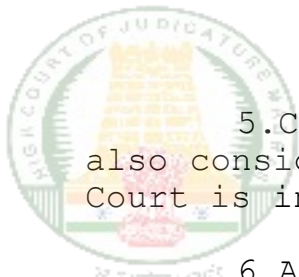
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody since 26.01.2019 for the offence punishable under Section 4 (1-A), Tamil Nadu Prohibition Act in Crime No.63 of 2019, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, the respondent police went to the occurrence place and found that the petitioner has possessed 140 bottles of brandy. Hence, the complaint.

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. He further submitted that the petitioner is ready to deposit of Rs.10,000/- in favour of the Dean, Tuticorin Medical College, Tuticorin for the welfare of alcohol addicted persons.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that investigation is pending.



5.Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tuticorin and on further condition that:

(a)the sureties shall affix his photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

(b))the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the Dean, Tuticorin Medical College, Tuticorin, for the welfare of alcohol addicted persons.

(c)the petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond either during investigation or trial;

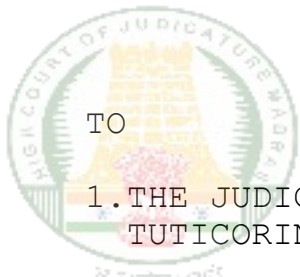
(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
13/02/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO I,
TUTICORIN.

2. THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT.

3. THE INSPECTOR OF POLICE,
SOUTH POLICE STATION, TUTICORIN.

4. THE OFFICER INCHARGE,
DISTRICT PRISON, PERURANI.

5. THE DEAN,
TUTICORIN MEDICAL COLLEGE,
TUTICORIN.

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

+1. CC to Mr.KA.RAAMAKRISHINAN Advocate SR.No.3047

ORDER

IN

CRL OP (MD) No.2270 of 2019

Date :13/02/2019

TK/PN/SAR-1/13.02.2019/3P/8C