



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

Thursday, the Seventh day of March Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3537 of 2019

RAMACHANDRAN

... PETITIONER / ACCUSED NO.1

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
PEW POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.160/2019

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.KRISHNAVENI Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

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

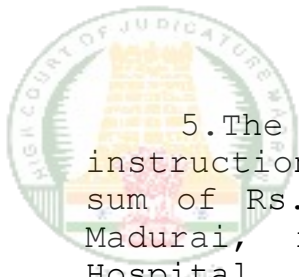
ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 25.02.2019 for the offences punishable under Sections 4-1A, 14A of Tamil Nadu Prohibition Act and 420, 468, 471 of I.P.C., in Crime No.160 of 2019, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 20.02.2019, the petitioner along with other accused persons said to have manufactured illegal arrack and printed IMFL labels and logos of the Government of Tamil Nadu, due to which, the respondent police registered a case against the petitioner.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) for the State would submit that the petitioner is having five previous cases which are similar in nature.



5.The learned counsel appearing for the petitioner, on instructions, undertakes that the petitioner is ready to deposit a sum of Rs.25,000/- in favour of Deen, Government Rajaji Hospital, Madurai, for the purpose of maintaining the Government Rajai Hospital.

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

7.Accordingly, the petitioner is ordered to be released on bail on his 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, Thiruvadanai, Ramanthapuram District and on further condition that:

(a)the petitioner shall deposit a sum of Rs.25,000/- to the Deen, Government Rajaji Hospital, Madurai and get receipt for the same. On producing the said receipt, the surety bond should be accepted.

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity; (c)the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

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

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

(f)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]**; and;

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

sd/-

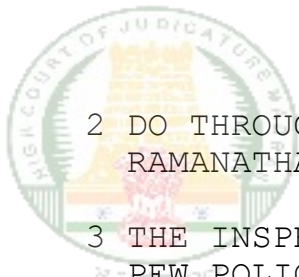
07/03/2019

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

TO

1 THE JUDICIAL MAGISTRATE,
<https://hcservices.ecourts.gov.in/hcservices/>
THIRUVADANAI, RAMANATHAPURAM.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE,
PEW POLICE STATION,
RAMANATHAPURAM DISTRICT.

4 THE OFFICER INCHARGE,
RAMANATHAPURAM DISTRICT JAIL,
RAMANATHAPURAM.

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

+1 CC to M/s.P.KRISHNAVENI, Advocate (SR-4411[I] dated 07/03/2019)

COPY TO:
THE DEEN,
GOVERNMENT RAJAJI HOSPITAL,
MADURAI.

ORDER
IN
CRL OP(MD) No.3537 of 2019
Date :07/03/2019

JM/PN/SAR 2/07.03.2019/3P/8C