



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

Tuesday, the Nineteenth day of March Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4108 of 2019

K.VELMURUGAN

... PETITIONER / ACCUSED NO.4

Vs

STATE REP. BY
THE STATION HOUSE OFFICER,
P.E.WING, THANJAVUR POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.59 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.KARTHICK Advocate

For Respondent : MR.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

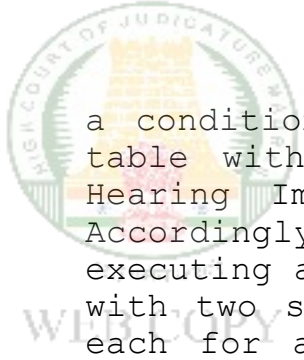
The petitioner, who was arrested and remanded to judicial custody on 26.01.2019, for the offence under Sections 4(1)(aaa) and 4(1-A) of Prohibition Act r/w. Sections 465,468, and 471 of IPC in Cr.No.59 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 2400 bottles of liquor each containing 180 ml.

3.The learned counsel appearing for the petitioner would submit petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, on instruction, he would further submit that the petitioner is ready to deposit any amount to the Government school for the welfare of the students without prejudice to his contentions.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that no case is pending against the petitioner. However, bail may be granted by imposing stringent conditions.

5.Considering the nature of the case and considering the period of incarceration ,I am inclined to grant bail to the petitioner with



a condition that the petitioner shall purchase and give fifteen table with chairs to the Government Higher Secondary School for Hearing Impaired, Membalam, Thanjavur worth about Rs.25,000/- 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 II, Thanjavur and on further condition that:

(a) the petitioner is directed to purchase fifteen table with chairs worth Rs.25,000/- and give them to Government Higher Secondary School for Hearing Impaired, Membalam, Thanjavur and thereafter sureties shall be accepted

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the 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/-

19/03/2019

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

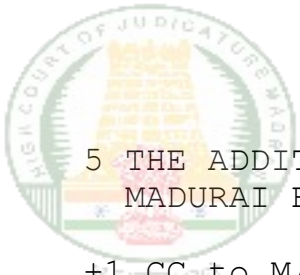
TO

1 THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.

3 THE STATION HOUSE OFFICER,
P.E.WING, THANJAVUR POLICE STATION,
THANJAVUR DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.



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

+1 CC to M/s.M.KARTHICK, Advocate (SR-5106[I] dated 19/03/2019)

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COPY TO:
THE GOVERNMENT HIGHER SECONDARY SCHOOL
FOR HEARING IMPAIRED,
MEMBALAM, THANJAVUR.

ORDER
IN
CRL OP(MD) No.4108 of 2019
Date :19/03/2019

JM/VR/SAR 4/19.03.2019/3P/8C