



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

Friday, the Twenty Second day of May Two Thousand Twenty

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.5330 of 2020

1 MARICHAMY
2 MARUTHUPANDI

... PETITIONERS / ACCUSED 2 & 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
VEMPAKKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT
CR NO.182/2020

... RESPONDENT / COMPLAINANT

For Petitioner : M/s.T.Lenin Kumar,Advocate.

For Respondent : Mr.S.Chandrasekar,Additional Public Prosecutor

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

PRAYER :-

For Bail in crime no.182 of 2020 on the file of the respondent police

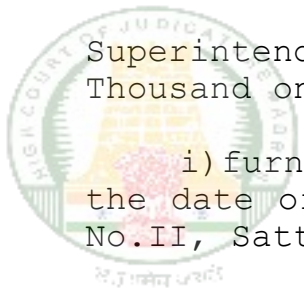
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

2. The petitioners are arrayed as accused Nos.2 & 3. They were arrested and remanded to Judicial Custody on 29.04.2020 for the offences punishable under sections 4(1)(g), 4(1)(b), 4(1)(aa) of Tamil Nadu Prohibition Act r/w Section 4(1-A) of Tamil Nadu Prohibition Act of I.P.C., in Crime No.182 of 2020 on the file of the respondent police. They seek bail.

3.The petitioners found brewing illicit arrack during the lock-down period. The materials used for brewing were seized by the Police during the raid. These petitioners were arrested on 29.04.2020 along with other accused. Co-accused granted with bail by this Court vide order in Crl.O.P.(MD)No.5418 of 2020, dated 19.05.2020 with certain conditions.

4.In the above said circumstances, I am inclined to enlarge the petitioners on bail with certain conditions. Accordingly the petitioners are ordered to be released on bail by the Prison



Superintendent on own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) and the petitioner shall,

i) furnish with two sureties for like sum within one month from the date of release, to the satisfaction of the Judicial Magistrate No.II, Sattur and on further condition that,

ii) the petitioners shall report before the respondent police daily at 10.30 a.m., 15.06.2020.

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/05/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. The Judicial Magistrate No.II, Sattur
2. -Do-Thro' The Chief Judicial Magistrate,
Virudhunagar at Srivilliputhur.
3. The Inspector of Police,
Vempakkottai Police Station,
Virudhunagar District
4. The Superintendent,
District Jail, Virudhunagar.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.5330 of 2020
Date :22/05/2020