



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

Date : 21/05/2020

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PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5413 of 2020

Vinoth

... Petitioner/Accused No.3

Vs

State rep. by
The Sub Inspector of Police,
Thuckalay Police Station,
Nagercoil,
Kanyakumari District.
(Crime No.514/2020).

... Respondent/Complainant

For Petitioner : Mr.J.Sivaram,
Advocate.

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

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

PRAYER :-

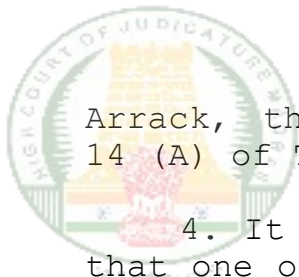
For Bail in Crime No.514/2020 on the file of the respondent police.

ORDER : The Court made the following order :-

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

2. The petitioner was arrested and remanded to Judicial Custody on 26.04.2020 for the offence punishable under sections 4(1)(A) and 14 (A) of Tamil Nadu Prohibition Act, in Crime No.514 of 2020 on the file of the respondent police.

3. The case of the prosecution is that the petitioner along with two others were in possession of 2 Litres of illicit poisoned



Arrack, thereby committed the offence under sections 4(1)(A) and 14 (A) of Tamil Nadu Prohibition Act.

4. It is submitted by the learned Additional Public Prosecutor that one of the accused fled from the scene of occurrence and yet to be apprehended. So far as this petitioner is concerned for the past 25 days he is in prison.

5. Taking note of the fact that the lock down has been substantially relaxed and the petitioner already been in prison for more than 25 days and the investigation substantially completed, this Court grants bail to the petitioner.

6. Accordingly the petitioner is ordered to be released on bail on his executing own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) and the petitioner shall,

i) furnish with two sureties for likesum within one month from the date of release, to the satisfaction of the Judicial Magistrate No.1, Nagercoil and on further condition that,

ii) the petitioner shall report before the respondent police as and when required for interrogation.

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

iv) the petitioner 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 petitioner 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/-
21/05/2020

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



TO

1. JUDICIAL MAGISTRATE NO.1,
PADMANABHAPURAM.
2. DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE OFFICER IN CHARGE,
DISTRICT JAIL,
NAGERCOIL.
4. THE SUB INSPECTOR OF POLICE,
THUCKALAY POLICE STATION,
NAGERCOIL,
KANYAKUMARI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.5413 of 2020

Date :21/05/2020

LS

SRS/ VR/ SAR-II/ 21.05.2020/ 3P/6C