



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

Date : 30/12/2020

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16038 of 2020

Shanmugam

... Petitioner/Sole Accused

Vs

State Rep. by
The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.1980/2020).

... Respondent/Complainant

For Petitioner : M/s. Deenadhayalan.S,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.1980/2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

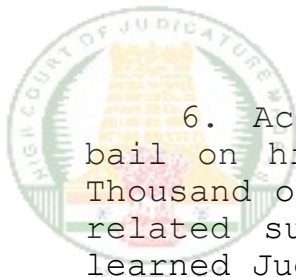
Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is arrayed as sole accused. He was arrested and remanded to Judicial Custody on 17.12.2020 for the offences punishable under section 4(1)(a) r/w. 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.1980 of 2020 on the file of the respondent police. He seeks bail.

3. The case of the prosecution is that the respondent police intercepted the petitioner on 17.12.2020 and seized 25 numbers of 180 M.L. Liquor bottles.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner is having two previous cases.

5. Since the previous cases pending against the petitioner are not in similar nature and considering the period of judicial custody, I am inclined to enlarge the petitioner on bail with certain conditions.



6. 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, out of which one shall be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Orathanadu, Thanjavur District.

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m and 05.30 p m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/12/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.

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

<https://hcservices.in/Details.aspx?ID=16038>



3 THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, THIRUVIDAIMARUTHUR,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.16038 of 2020

Date :30/12/2020

ias/rm

JM/PN/SAR III/30.12.2020/3P/6C