

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.10082 of 2021

Ramalingam

... Petitioner/Accused

vs.

The State represented by,  
The Inspector of Police,  
Kullanchavadi Police Station,  
Cuddalore District.  
(Crime No.159 of 2021)

... Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 439 Cr.P.C. praying to enlarge the petitioner on bail in concern Crime No. 159 of 2021 on the file of the respondent police.

For Petitioner : Mr.A.Arasu Ganeshan

For Respondent : Mr.E.Raj Thilak  
Counsel for Government (CrI.Side)

**ORDER**

**(The case has been heard through video conference)**

The petitioner, who was arrested and remanded to judicial custody on 18.05.2021, for the offence punishable under Sections 4(1) (aaa), 4(1-A), 4(1)(g) & 14 A of Tamil Nadu Prohibition Act read with Sections 328, 465, 468 and 471 of IPC, in Crime No.159 of 2021, seeks bail.

2. The case of the prosecution is that the petitioner is alleged to have found in possession of 360 litres of sanitizer and 1500 empty glass bottles.

3. The learned counsel appearing for the petitioner would submit that the petitioner is not involved in the above alleged offence and he is no way connected with the offence as alleged by the prosecution and he did not commit any offence. On instruction, he would submit that in order to show his bonafide, the petitioner is ready and willing to deposit a sum of Rs.10,000/- to the Madras High Court Advocate Clerks Welfare Association, SB.A/c.No.484077244, IFSC Code.No. IDIB000M157. Further he submits that the petitioner is in

judicial custody from 18.05.2021 and hence, he seeks bail for the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner is in possession of 360 litres of sanitizer and 1500 empty glass bottles. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration the nature of allegations against the petitioner in the FIR and also taking note of the fact that the petitioner is in judicial custody from 18.05.2021, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] the petitioner shall deposit a sum of Rs.10,000/- (Rupees ten thousand only) directly to Madras High Court Advocate Clerks Welfare Association, SB.A/c.No.484077244, IFSC Code.No. IDIB000M157 and on such deposit, the petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees ten thousand only) before the Superintendent of the concerned prison;

[b] thereafter, the petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the concerned Magistrate within a period of fifteen days from the date of lifting of lockdown and commencement of regular functioning of court below, failing which the bail granted by this Court shall stand dismissed.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

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

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

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

6. With the above directions, this Criminal Original Petition is ordered.

-sd/-  
09/06/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL DISTRICT AND SESSION COURT AT,  
CUDDALORE

2 THE DISTRICT MUNSIF - CUM - JUDICIAL  
MAGISTRATE, KURINJIPADI.

3 THE CHIEF JUDICIAL MAGISTRATE  
CUDDALORE. [FOR INFORMATION]

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE  
KULLANCHAVADI POLICE STATION,  
CUDDALORE DISTRICT.

6 THE OFFICER INCHARGE  
SUB JAIL, PANRUTI.

7 THE MADRAS HIGH COURT ADVOCATE CLERKS  
WELFARE ASSOCIATION, SB.A/C.NO.484077244,  
IFSC CODE.NO. IDIB000M157

+1 CC to M/S.A.ARASU GANESHAN Advocate on payment of necessary  
charges SR.NO.6408

CRL OP.10082/2021

Date :09/06/2021

TA-10/06/2021