



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No. 19462 of 2021

Natarajan @ Nadaraj

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Koyambedu Police Station,
Chennai.

Crime No.1113 of 2021 .

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, praying to enlarge the petitioner on bail in Crime No.1113 of 2021 on the file of the respondent police.

For Petitioner : Mr.R.Parthiban

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

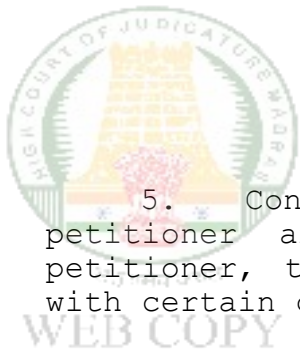
ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.10.2021, for the alleged offences under Sections 4(1)(a), 4(1)(i) and 4(1-A) of TNP Act, in Cr.No.1113 of 2021 on the file of the respondent police, seeks bail.

2. Totally there are three accused in this case and the petitioner is A2. The case of the prosecution is that the petitioner and two other accused persons were found in illegal possession of 15 nos. of honey day brandy bottles, each containing 180 ml and 8 nos. of MC dowels brandy bottles each containing 180 ml. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner has been in judicial custody from 02.10.2021 and hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that the properties involved in this case has been recovered and there is no previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.



5. Considering the period of incarceration suffered by the petitioner and there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner 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 surety shall be a blood relative of the petitioner, each for a like sum to the satisfaction of the V Metropolitan Magistrate, Egmore, and on further condition that:

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial Magistrate may obtain a copy of their Aadhar card or voter identity card or driving license or PAN card or Bank pass Book with photo affixed and attested by Bank Manager to ensure their identity;

(b) the petitioner shall co-operate with the pending investigation and shall report before the respondent Police, daily at 10.00 a.m., until further orders.

(c) the petitioner shall not influence, threaten or coerce the witness either during investigation or trial;

(d) the petitioner shall not abscond 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 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
12/10/2021

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 V METROPOLITAN MAGISTRATE,
EGMORE.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION) .

3 THE INSPECTOR OF POLICE,
KOYAMBEDU POLICE STATION,
CHENNAI .

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS .

5 THE OFFICER INCHARGE,
SUB JAIL, SAIDAPET .

+1 CC to M/S.R.PARTHIBAN Advocate on payment of necessary
charges SR.NO.11414

CRL OP.19462/2021

Date :12/10/2021

INBA-13/10/2021