



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

Date : 01/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.12622 of 2021

Ravichandran

... Petitioner/Sole Accused

Vs

State rep. by
The Inspector of Police,
Thiruchitrambalam Police Station
Thanjavur District
Crime No.340 of 2021..

... Respondent/Complainant

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

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.340 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 15.08.2021 for the offences punishable under Sections 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.340 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 50 numbers of 180 ml brandy bottles.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution but a false case has been foisted against him. He would further submit that the petitioner is in jail for more than 5 months and hence he prays for grant of bail to the petitioner.



4.The learned Government Advocate(Crl.Side) opposed for grant of bail on the ground that the investigation is yet to be completed. He would further submit that the petitioner is not having any bad antecedent.

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5.Taking into consideration of the facts and circumstances of the case, the fact that the petitioner has not involved in any other offence and also the period of incarceration, this Court is inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed and 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, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkottai and on further conditions that:

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily **at 10.30 a.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/-
01/09/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MSA

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

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copy, shall be the responsibility of the advocate/litigant concerned.

TO

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1. The Judicial Magistrate, Pattukkottai,
2. Do Through
The Chief Judicial magistrate,
Thanjavur District at Kumbakonam.
3. The Officer Incharge, Sub Jail, Thanjavur
4. The Inspector of Police,
Thiruchitrambalam Police Station
Thanjavur District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.DEENADHAYALAN, Advocate SR-5831[I] dated 01/09/2021

ORDER IN
CRL OP(MD) No.12622 of 2021
Date : 01/09/2021

TR/SKN/SAR-IV(01.09.2021) 3P 7C