



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/11/2021

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PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD). No.17862 of 2021

Veerasekar : Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Pattukottai PEW Police Station,
Thanjavur District.
Crime No.1302 of 2021).

: Respondent/Complainant

For Petitioner : M/s.K.M.Karunakaran
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No. 1302 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 07.11.2021 for the offence punishable under Sections 4(1)(a), 4(1-A) of Tamil Nadu Prohibition Act in Crime No.1302 of 2021, on the file respondent police, seeks bail.

2.The case of the prosecution is that on receipt of a secret information, the defacto complainant and his team had conducted a raid and they found the petitioner in possession of 32 numbers of 180 ml TASMAL brandy liquor bottles. When the petitioner was attempting to escape from the scene of occurrence, the defacto complainant and his team had arrested the petitioner and seized the liquor bottles. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has been falsely implicated in this case and that the investigation is also completed. Hence, he seeks bail.



4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is having three previous cases registered under Section 4(1)(a) and 4(1)(K) of Tamil Nadu Prohibition Act and that the cases were disposed.

5.Considering the facts that the property was recovered as stated by the learned Additional Public Prosecutor and that the petitioner is in judicial custody from 07.11.2021, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai and on further conditions that;

i)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.

ii)the petitioner shall report before the respondent police daily at 10.30 a.m for a period of one month and thereafter 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 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

26/11/2021

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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, the responsibility of the advocate/litigant concerned.

<https://hcservices.e-cm.judiciary.gov.in/hcservices>



TO

1. THE JUDICIAL MAGISTRATE, PATTUKOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKOTTAI.
4. THE INSPECTOR OF POLICE,
PATTUKOTTAI PEW POLICE STATION,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.17862 of 2021
Date :26/11/2021

PNN
MS/VR/SAR-1/26.11.2021/3P.6C