



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19367 of 2021

Sathya

... Petitioner/Accused(Sole)

Vs

The State rep.by
The Inspector of Police,
Thanjavur-PEW Police Station,
Thanjavur District.
Cr.No. 1345 of 2021.

... Respondent/Complainant

For Petitioner : M/s.DHILIPAN PANDIAN.R.L.,
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.1345 of 2021 on the file of the Respondent Police.

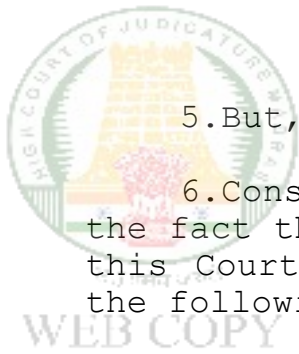
ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 19.11.2021 for the offence punishable under Sections 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.1345 of 2021, on the file respondent police, seeks bail.

2.The case of the prosecution is that on 19.11.2021, the petitioner was found in illegal possession of 10 numbers of 180 ml Black Pearl Brandy and 10 numbers of Golden Choice Brandy, for sale. Hence, this complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution, he has been falsely implicated in this case. He would further submit that as per the Tamil Nadu Liquor (Possession for Personal Consumption) Rules, 1996, 4.5 litres of Foreign Liquor is permitted to limit. As per the calculation that has been made in this matter, it will come to only around 3.6 litres. Hence, he seeks to grant of bail for the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is having three previous cases similar in nature. But, taking advantage of the above said rule, he is possessing and transporting the liquor for commercial purpose.



5. But, whatever it may be, it is a matter for investigation.

6. Considering the facts and circumstances of the case and also the fact that the petitioner is in judicial custody from 19.11.2021, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail, on executing a personal 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 No.II, Thanjavur District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

07/12/2021

/ TRUE COPY /

/ /2021

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 NO.II
THANJAVUR DISTRICT.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.
- 4 THE INSPECTOR OF POLICE
THANJAVUR-PEW POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.19367 of 2021

Date : 07/12/2021

dss

SA/VR/SAR.3/08.12.2021/2P/6C

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