

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.5350 of 2022

Latha

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Sooramangalam Police Station,
Salem District.
(Crime No.90 of 2022)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.90 of 2022 on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested on 11.02.2022 for the offences punishable under Sections 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.90 of 2022, on the file of the respondent police, seeks bail.

2.Learned Additional Public Prosecutor for the respondent submitted that in connection with the seizure of 33 bottles of illicit liquor viz., 19 bottles of diamond Rum (Each 180ml), 9 bottles of Moniter Brandy (Each 180ml) and 5 bottles of Honey Bee Brandy (Each 180 ml), this petitioner was arrested on 20.01.2022 by the respondent police. The petitioner got 20 previous cases and the investigation in this case substantially completed. Taking note of the facts of the case, this Court is inclined to grant bail to the petitioner subject to certain conditions.

3. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) The petitioner shall execute 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 No.2, Salem.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to stay at Dharmapuri and report before Dharmapuri Town Police Station daily at 10.30 a.m. for a period of 30 days.

(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 Judicial 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];

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

-sd/-
11/03/2022

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 JUDICIAL MAGISTRATE,
NO.2, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
SOORAMANGALAM POLICE STATION,
SALEM DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE OFFICER INCHARGE,
DHARMAPURI TOWN POLICE STATION, DHARMAPURI.

+1 CC to M/S T.MURUGANANTHAM Advocate on payment of necessary
charges SR.NO.3809

CRL OP.5350/2022

Date :11/03/2022

JPA 11/03/2022