



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2022

CORAM:

THE HONOURABLE Mr. JUSTICE G.CHANDRASEKHARAN

Cr1.O.P.No.6350 of 2022

Settu

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Thimiri Police Station,
Vellore.
(Crime No.63 of 2022)

...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.63 of 2022 pending investigation on the file of the respondent.

For Petitioner : Mr.K.Karthik

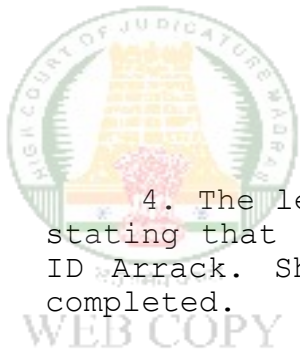
For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Section 4(1) (aa), 4 (1-A) (ii) of TNP Act in Crime No.63 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on the date of occurrence, when the respondent police were in routine patrol duty they found that the petitioner was in illegal possession of 60 litres of ID Arrack. Hence, the complaint.

3. The learned Counsel for the petitioner submits that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. However, on instructions, he submits that the petitioner without prejudice to his rights, on his own volition, is ready to deposit a sum Rs.5,000/- for the charitable purpose as may be directed by this Court. Hence, he seeks to grant bail to the petitioner.



4. The learned Additional Public Prosecutor would raise objection stating that the petitioner was in illegal possession of 60 litres of ID Arrack. She further submitted that the investigation was almost completed.

5. Considering the facts and circumstances of the case and also the submissions made by both counsel and the investigation was almost completed, this Court is inclined to grant anticipatory bail to the petitioner with conditions.

6. Accordingly, the petitioner is ordered to be released on bail on her 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 District Munsif cum Judicial Magistrate No.I, Walaja, and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall make a non-refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of Kaakkum Karangal Old Age Home, 89/47, Santhome High Road, Santhome, Chennai-600 028, A/c No.000101219273, ICICI Bank, Santhome Branch, IFSC Code:ICIC0003432, MICR Code:600229120, Swift Code: ICICINBBXXX, Mobile No.9840068800.

[c] the petitioner shall report before the respondent police on every Wednesday at 10.30 a.m., for a period of three months and thereafter as and when required for an interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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 has been imposed and the petitioner is 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;



[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

WEB COPY

-sd/-

18/03/2022

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE-I,
WALAJA.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIMIRI POLICE STATION,
VELLORE DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE KAAKKUM KARANGAL OLD AGE
HOME, 89/47, SANTHOME HIGH ROAD,
SANTHOME, CHENNAI-600 028.
A/c No.000101219273, ICICI Bank,
Santhome Branch, IFSC Code:ICIC0003432,
MICR Code:600229120, Swift Code: ICICINBBXXX,
Mobile No.9840068800.

+1CC to K.KARTHIK Advocate on payment of necessary charges
SR.No.4165

CRL OP.6350/2022

Date :18/03/2022

CSK 18/03/2022