



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2022

WEB COPY

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.Nos.7610, 7856 & 7858 of 2022

Savithiri

.. Petitioner in all Crl.O.Ps.

Vs.

The State rep. by
The Inspector of Police,
Kilvelur Police Station,
Nagapattinam
(Crime No. 1137 of 2021 &
Crime Nos.65 & 13 of 2022)

.. Respondent in all Crl.O.Ps.

COMMON PRAYER: Criminal Original Petitions have been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No. 65 of 2022, 1137 of 2021 and in Crime No.13 of 2022 on the file of the Kilvelur Police Station, Nagapattinam District.

For Petitioner in all Crl.O.Ps.: Mr.R.Naresh Kumar

For Respondent in all Crl.O.Ps.: Mrs.G.V.Kasthuri
Additional Public Prosecutor

COMMON ORDER

The petitioner, who was arrested on 09.02.2022 for the alleged offences under Sections 4(1)(i), 4(1)(aaa) read with 4(1-A) TNP (Transport Act) of IPC in Crime No.65 of 2022, and for the alleged offences under Sections 4(1)(aaa) read with 4(1-A) TNP (Transport Act) & Section 109 of IPC in Crime No.1137 of 2021 and for the alleged offences under Sections 4(1)(aaa) read with 4(1-A) TNP (Transport Act) of IPC in Crime No.13 of 2022 on the file of the respondent police, seeks bail.

2. This petitioner was arrested on 09.02.2022 for illegal possession of 110 litres of Pondicherry Arrack. She is a notorious bootlegger and she has already been convicted in 13 cases of similar in nature. Several cases are pending against her and she is shown as absconding accused. Once she was arrested in Crime No.65/2022 for the alleged possession of 110 litres of ID arrack, she



was formally arrested in the other two pending cases viz., Crime No.13/2022 and 1137/2021. In none of these cases, inspite of lapse of nearly 56 days, the prosecution has not filed the final reports.

3. In the light of the above fact, this court is of the view that the petitioner may be granted bail in all these cases. 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) each** with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Nagapattinam.

(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 report before the Investigating Officer as and when required.**

(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 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/-
05/04/2022

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.I, NAGAPATTINAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KILVELUR POLICE STATION,
NAGAPATTINAM.

5 THE OFFICER INCHARGE
WOMEN PRISON,
SUB JAIL, THIRUVARUR.

+3 CC to M/S.U.KATHIRAVAN Advocate on payment of necessary
charges SR.NO.5135, 5136, 5137

CRL OP.7610, 7856 & 7858 of 2022

Date :05/04/2022

TA-06/04/2022