



WEB COPY



Crl.O.P.Nos.7275 & 7278 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.Nos.7275 & 7278 of 2020

Mathi ..Petitioner in Crl.O.P.No.7275 of 2020

Sampath ..Petitioner in Crl.O.P.No.7278 of 2020

Vs.

State rep.by,
The Inspector of Police,
Vellavedu Police Station.
crime No.420 of 2020

..Respondent in both Crl.O.Ps

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in in connection with Crime
No.420 of 2020 pending investigation on the file of the respondent
police.

For Petitioners : Mr.D.Raja

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



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ORDER

The petitioners who were arrested and remanded to judicial custody on 12.04.2020 for the offences publishable under **Sections 4(1)(g), 4(1)(a) read with Section 4 (1-A) of Tamil Nadu Prohibition Act in Crime No. 420 of 2020** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners were in possession of 50 litres of ID arrack. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor.

4. Considering the facts and circumstances of the case, the interim bail granted to the petitioners in Crl.O.P.Nos.7275 & 7278 of 2020 dated 20.04.2020 is made absolute on the following conditions;



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[a] the petitioners shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

[b] the petitioners shall not abscond either during investigation or trial.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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]**.

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

12.08.2022

Sma



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G.K.ILANTHIRAIYAN, J.

Sma

To

1.The Inspector of Police,
Vellavedu Police Station.

2.The Public Prosecutor,
High Court of Madras

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