



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8649 of 2022

Jagadeeshwari @ Jagadi

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
P-5,MKB Nagar Police Station,
Chennai-600 039.
(Crime No.126 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.126 of 2022 on the file of the respondent police.

For Petitioner : Mr.A.Elumalai

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

O R D E R

The petitioner, who was arrested on 14.02.2022 for the offences punishable under Sections 4(1) (a), read with 4(1-A) of Tamil Nadu Prohibition Act in Crime No.126 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner was found in possession of 19 bottles of 180ml IMFL without license. Hence, he was arrested on 14.02.2022. Considering the antecedent of the petitioner, the learned Principal Sessions Judge has dismissed his bail petition.

3. Taking note of the fact that the petitioner was arrested on 14.02.2022 and till date, the final report has not been filed, this Court is inclined to grant bail to this petitioner. 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 X Metropolitan Magistrate, Egmore, Chennai;



(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 daily at 10.30 a.m. until further orders.

(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 petitioner 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/-

18/04/2022

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 X METROPOLITAN MAGISTRATE
EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE SUPERINTENDENT,
SPECIAL PRISON-WOMEN,
PUZHAL, CHENNAI

4 INSPECTOR OF POLICE,
P-5 MKB NAGAR POLICE STATION,
CHENNAI 600 039



5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S A.ELUMALAI Advocate on payment of necessary charges
Sr.5711

CRL OP.8649/2022

Date :18/04/2022

RVR 18/04/2022