



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.9281 of 2022

Arun

.. Petitioner

Vs.

The State rep. by
The Sub Inspector of Police,
Tiruvannamalai Taluk Police Station.
(Crime No.248 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner/Accused on bail in the above Crime No.248 of 2022, pending investigation, on the file of the respondent police, Tiruvannamalai Taluk Police Station, Tiruvannamalai.

For Petitioner : Mr.D.Vijay

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

ORDER

The petitioner, who was arrested on 22.03.2022 for the offences punishable under Sections 4(1)(a), 4(1-A)(ii) of TNP Act and 8(c), 20(b)(ii)(A) of N.D.P.S. Act in Crime No.248 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 22.03.2022 for the alleged possession of 5 litres of I.D arrack and 100 grams of Ganja.

3.Learned counsel for the petitioner states that he is innocent person and the case has been falsely foisted against him and his vehicle bearing Registration No.TN 25 BD 3845 was seized by the respondent police.

4.Learned Additional Public Prosecutor appearing for the respondent states that the investigation is substantially completed and the chemical analysis report awaited and the petitioner got no previous case registered against him.



6. In the light of the above fact, this Court is inclined to grant bail to the 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.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-II, Thiruvannamalai.

(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 appear 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 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/-

26/04/2022

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-II,
THIRUVANNAMALAI.



2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE
TIRUVANNAMALAI TALUK POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE OFFICER INCHARGE
SUB JAIL, POLUR, THIRUVANNAMALAI DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.D.VIJAY Advocate on payment of necessary charges
SR.No.6227

CRL OP.9281/2022

Date :26/04/2022

CSK 27/04/2022