



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.9804 of 2022

Rajesh Verma

.. Petitioner

Vs.

State By,
The Inspector of Police,
Thiruvannamalai East Police Station,
Thiruvannamalai District.
Crime No.184 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 the Crime No.184 of 2022 pending on the file of the Inspector of police, Thiruvannamalai East Police Station, Thiruvannamalai District.

For Petitioner : Mr.S.Silambuselvan

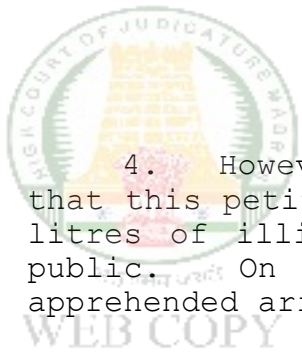
For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner who was arrested on 04.04.2022 for the offences punishable under Sections 4(1)(a) & 4(1-A)(ii) of TN Prohibition Act & Sections 8(c) & 20(b)(ii)(A) of Narcotic Drugs & Psychotropic Substances Act, 1985, in Crime No.184 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 04.04.2022 for having in his possession of 20 litres of illicit arrack and 110 grams of Ganja.

3. The learned Counsel for the petitioner states that the petitioner is in prison for the past 23 days, he is an innocent person and nothing was recovered from him.



4. However, the learned Additional Public Prosecutor submits that this petitioner along with one Santhosh were in possession of 20 litres of illicit arrack and 110 grams of Ganja for selling it to public. On seeing the riding party, they tried to flee and apprehended arrest.

5. Considering the fact that the petitioner is in prison for the past 23 days and there is no bad antecedent against him so far, 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 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/-

27/04/2022

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.II, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
TIRUVANAMALAI EAST POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. S.SILAMBUSELVAN Advocate on payment of necessary
charges

CRL OP.9804/2022

Date :27/04/2022

JPA 28/04/2022