



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.9777 of 2022

Sri Amuthu @ Amutha Kumar

.. Petitioner

Vs.

State represented by
Sub Inspector of Police,
Thiruvannamalai Town Police Station,
Thiruvannamalai District.
(Crime No.169 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.169 of 2022 on the file of the Respondent police.

For Petitioner : Mr. R.Balakrishnan

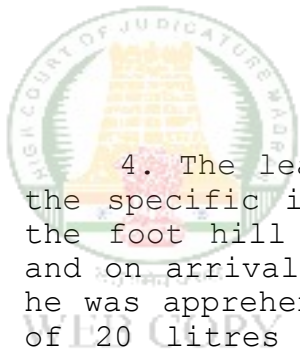
For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, was arrested and remanded to judicial custody on 13.04.2022 on the file of the respondent police in Crime No.169 of 2022, for the alleged offences punishable under Sections 4(1) (a) read with 4(1-A) ii of TNP Act and 8(c), 20(b) (ii) (A) NDPS Act, 1985 seeks bail.

2. The petitioner herein was arrested on 13.04.2022 for alleged possession of 20 litres of ID arrack and 100 grams of Ganja.

3. The learned Counsel for the petitioner states that the petitioner is an innocent and not connected with the alleged contraband.



4. The learned Additional Public Prosecutor states that based on the specific information that this petitioner is likely to come to the foot hill of Uthukuttaimedu, the raiding team kept surveillance and on arrival of the raiding team, the petitioner tried to fled but he was apprehended. On search, the petitioner was found in possession of 20 litres of ID arrack and 100 grams of Ganja. Further, the petitioner is a repeat offender having two previous case of similar in nature.

5. Taking into consideration of the objections raised by the learned Additional Public Prosecutor and the alleged contraband seized and also considering the period of incarceration suffered by the petitioner herein, this Court is inclined to grant bail to the petitioner with a condition that the petitioner shall stay at Arani for a period of thirty days.

6. 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 No.I, 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 shall appear before the Arani Town Police Station for a period of thirty (30) days and thereafter as and when required for interrogation;

(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.

WEB COPY

-sd/-
29/04/2022

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, THIRUVANNAMALAI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
THIRUVANNAMALAI TOWN POLICE STATION,
THIRUVANNAMALAI DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE OFFICER INCHARGE
ARANI TOWN POLICE STATION,
ARANI

+1 CC to M/S. R.BALAKRISHNAN Advocate on payment of necessary charges SR.NO.6544

CRL OP.9777/2022

Date :29/04/2022

JPA 29/04/2022