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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.10456 of 2022

Senthil

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Prohibition Enforcement Wing, Namakkal,
Namakkal District.
(Crime No.286 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.286 of 2022 on the file of the Inspector of Police, Prohibition Enforcement Wing, Namakkal , Namakkal District.

For Petitioner : Mr.B.Vasudevan

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

O R D E R

The petitioner, who was arrested on 06.04.2022 for the offences punishable under Sections 4(1)(a), 4(1)(A) of Tamil Nadu Prohibition Act in Crime No.286 of 2022, seeks bail.

2.The petitioner was arrested on 06.04.2022 for the illegal possession of 63 brandy bottles, each containing 180ml.

3.Learned Additional Public Prosecutor appearing for the respondent submits that the petitioner has no previous case against him and the entire contraband was seized.

4. In the light of the above submission, 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, Sendamangalam;



(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;

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(c) the petitioner is directed to appear 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/-
29/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
SENDAMANGALAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL DISTRICT. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB JAIL, NAMAKKAL.

4 THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING,
NAMAKKAL, NAMAKKAL DISTRICT.



5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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+1 CC to M/S. B.VASUDEVAN Advocate on payment of necessary
charges SR.NO. 6639

CRL OP.10456/2022

Date :29/04/2022

RW 29/04/2022