



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N.ANAND VENKATESH
CRIMINAL ORIGINAL PETITION No.11250 of 2022

VAISAK @ VAISAKHAN

[PETITIONER / ACCUSED]

Vs

THE STATE OF TAMIL NADU,
REP. BY THE INSPECTOR OF POLICE,
PEW, STEEL PLANT POLICE STATION,
SALEM DISTRICT.
(REF CRIME NO. 616 OF 2021)

[RESPONDENT]

For Petitioner : M/S. K.NEWLIN FREDERICK Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

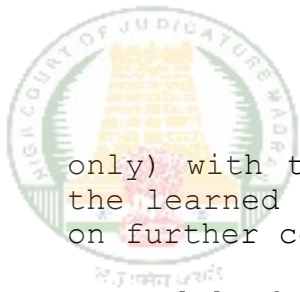
The petitioner, who was arrested and remanded to judicial custody on 21.03.2022 for the alleged offences under Sections 4(1) (aaa), 4(1-A) of Tamilnadu Prohibition Act and Section 7 of TN Rectified Spirit Rules 2000 in Crime No.616 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were found in possession of 10,815 litres of I.D. Arrack. There are totally seven accused persons in this case and the petitioner has been arrayed as A4.

3. Heard the learned counsel for the petitioner and learned Government Advocate (crl.side) for the respondent.

4. Taking into consideration of the facts and circumstances of the case and also of the fact that the petitioner has already suffered incarceration for 60 days and there are no previous cases against the petitioner and the petitioner has been roped in only on the basis of the confession of the co-accused, this Court is inclined to enlarge the petitioner on bail subject to imposing conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand



only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif-cum-Judicial Magistrate, Valappady, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police on every Monday at 10.30 a.m for a period of eight weeks and thereafter as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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/-

19/05/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VALAPPADY

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
PEW, STEEL PLANT POLICE STATION,
SALEM DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

CC to M/S. K.NEVLIN FREDERICK Advocate on payment of necessary
charges Sr.7397

CRL OP.11250/2022

Date :19/05/2022

RVR 19/05/2022