



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11605 of 2022

DEVENDIRAN @ DEVENDRAN

[ PETITIONER / ACCUSED ]

Vs

THE STATE REPRESENTED BY  
THE INSPECTOR OF POLICE,  
PEW POLICE STATION,  
ARIYALUR DISTRICT.  
CRIME NO.244/2022

[ RESPONDENT ]

For Petitioner : M/S.P.TAMILAVEL Advocate

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

PETITION FOR BAIL 439 Cr.P.C.

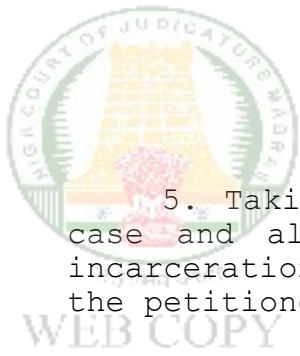
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 11.04.2022 for alleged offence under Sections 4(1)(a) and 4(1-A) of (Transport) Tamil Nadu Prohibition Act in Crime No.244 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution was that the petitioner was found to possess of 40 bottles of brandy each containing 180 ml.

3. Learned Government Advocate (Criminal Side) submitted that the petitioner is a habitual offender and there are nearly 20 previous cases against the petitioner.

4. Learned counsel for the petitioner submitted that the respondent police is foisting false cases against the petitioner and that the petitioner is innocent. Learned counsel further submitted that the petitioner has already suffered incarceration for nearly 36 days.



5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner has already suffered incarceration for nearly 36 days, this Court is inclined to enlarge the petitioner on bail by imposing stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate I, Jayankondam, 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 daily at 10.30 a.m. and 6.30 p.m, until further orders.

[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 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/-  
18/05/2022

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 JUDICIAL MAGISTRATE,  
NO. I, JAYANKONDAM,  
ARIYALUR DISTRICT.

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

3 THE OFFICER INCHARGE,  
SUB JAIL, JAYANKONDAM.

4 THE INSPECTOR OF POLICE,  
PEW POLICE STATION,  
ARIYALUR DISTRICT.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.P.TAMILAVEL Advocate on payment of necessary charges  
SR.NO. 7131

CRL OP.11605/2022

Date :18/05/2022

RW 18/05/2022