



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

Monday, the Twenty Third day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH
CRIMINAL ORIGINAL PETITION No.11597 of 2022

A. BALAJI

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
VETTAVALAM POLICE STATION
TIRUVANNAMALAI
CR.NO.76/2022

[RESPONDENT]

For Petitioner : A.VIJAYASANKAR Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (CrI. 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 offence under Section 4(1)(a) r/w 4(1-A)(ii) TNP Act and 8(c) r/w 20(b)(ii)(A)-NDPS Act 1985 in Crime No.76 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 10 litres of I.D. Arrack and 100 grams of Kanja.

3.Heard Mr.A.Vijayasankar,learned counsel for the petitioner and Mr.S.Santhosh,Government Advocate (CrI.Side)for the respondent Police.

4. Taking into consideration of the facts and circumstances of the case and also considering the fact that the contraband has already been seized by the respondent police and the petitioner has already suffered incarceration for nearly 63 days and there are no previous cases against the petitioner, this Court is inclined to enlarge the petitioner on bail.

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 Judicial Magistrate No.II, Tiruvannamalai 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 learned Judicial Magistrate No.II, Tiruvannamalai on every Monday at 10.30.a.m for a period of 8 weeks and thereafter before the respondent police 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 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/-

23/05/2022

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.II, TIRUVANNAMALAI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE
VETTAVALAM POLICE STATION
TIRUVANNAMALAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



5 THE OFFICER INCHARGE,
POLUR SUB JAIL, POLUR

CC to A.VIJAYASANKAR Advocate on payment of necessary charges
Sr.7806

CRL OP.11597/2022

Date :23/05/2022

RVR 24/05/2022