



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.11530 of 2022

1 K.GIRI
2 G.SHOBA

[PETITIONERS/ ACCUSED]

Vs

THE STATE,
THE INSPECTOR OF POLICE,
H-1 WASHERMENPET POLICE STATION,
CHENNAI.
(CRIME NO.358 OF 2022)

[RESPONDENT]

For Petitioner : M/S.B.GOPALAKRISHNAN 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 first petitioner, who was arrested and remanded to judicial custody on 05.05.2022 and the second petitioner, who was arrested and remanded to judicial custody on 01.05.2022, for the alleged offences under Sections 4(1)(a), 4(1-A) of TN Prohibition Act in Crime No.358 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused persons were found in possession of 6 Brandy bottles, each containing 180 ml. There is one previous case is against the second petitioner.

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

4. Taking into consideration of the facts and circumstances of this case and also of the fact that the first petitioner has already suffered incarceration for 15 days and the second petitioner has already suffered incarceration for 19 days and there are no serious bad antecedence against the petitioners, this Court is inclined to enlarge the petitioners on bail subject to imposing conditions.



5. Accordingly, the petitioners are ordered to be released on bail on each of them 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 XV Metropolitan Magistrate, George Town, Chennai, 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 petitioners shall report before the respondent police on every Monday at 10.30 a.m until further orders.

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

[d] the petitioners 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 XV METROPOLITAN MAGISTRATE
GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]



3 THE INSPECTOR OF POLICE,
H-1 WASHERMENPET POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, WOMEN SPECIAL JAIL,
PUZHAL.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL-II, CHENNAI.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.B.GOPALAKRISHNAN Advocate on payment of necessary
charges SR.NO.7369

CRL OP.11530/2022

Date :19/05/2022

CSK 19/05/2022