



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.12191 of 2022

VIJAYARAGHAVAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING,
NAGAPATTINAM.
CR.NO.545/2022.

[RESPONDENT]

For Petitioner : M/S. U.KATHIRAVAN 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 10.04.2022 for the alleged offences under Sections 4(1)(i), 4(1)(aaa) r/w 4(1-A) TNP (Transport Act) in Crime No.545 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused person was found to be in possession of 110 litres of I.D. Arrack and there are previous cases against the petitioner.

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 39 days, 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 learned Judicial Magistrate-II, Nagapattinam, 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-II, Nagapattinam on every Monday at 10.30 a.m and before the respondent police on every Friday at 06.30 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 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 JUDICIAL MAGISTRATE,
NO.II, NAGAPATTINAM

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING,
NAGAPATTINAM.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
DISTRICT PRISON, NAGAPATTINAM

CC to M/S. U.KATHIRAVAN Advocate on payment of necessary
charges Sr.7379

CRL OP.12191/2022

Date :19/05/2022

RVR 19/05/2022