



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.12136 of 2022

SIVA

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KILVELUR POLICE STATION,
NAGAPATTINAM DISTRICT.
(CRIME NO.104/2022)

[RESPONDENT]

For Petitioner : M/S.C.T.SARAVANAN Advocate

For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

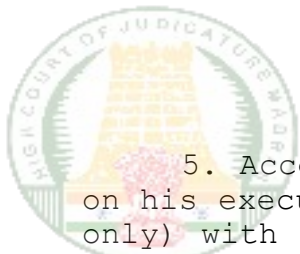
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 07.03.2022 for the alleged offences under Sections 4(1) (i), 4(1)(aaa) r/w.4(1-A) of TNP Act, in Crime No.104 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 110 litres of Pondy Arrack. It was further contended that there are four (4) previous cases of similar nature against this petitioner.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. Taking into consideration of the facts and circumstances of this case and also the fact that the entire contraband has already been seized by the respondent police and the petitioner has already undergone 77 days of incarceration, this Court is inclined to enlarge the petitioner on bail subject to certain 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 Judicial Magistrate-I, Nagapattinam, and on further conditions that:-

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[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-I, Nagapattinam, every Monday at 10.30 a.m. until further orders and shall also report before the respondent police on every Friday at 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/-

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.I, NAGAPATTINAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM. [FOR INFORMATION]



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KILVELUR POLICE STATION,
NAGAPATTINAM DISTRICT.

5 THE OFFICER INCHARGE
DISTRICT JAIL, NAGAPATTINAM.

+1 CC to M/S.C.T.SARAVANAN Advocate on payment of necessary
charges SR.NO.7753

CRL OP.12136/2022

Date :23/05/2022

TA-24/05/2022