



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

Wednesday, the First day of June Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN
CRIMINAL ORIGINAL PETITION No.12813 of 2022

G.KARTHI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
THIRUKUVALAI POLICE STATION,
NAGAPATTINAM DISTRICT
(CRIME NO.62/2022)

[RESPONDENT]

For Petitioner : M/S.U.KATHIRAVAN Advocate

For Respondent : M/S.E.RAJ THILAK, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

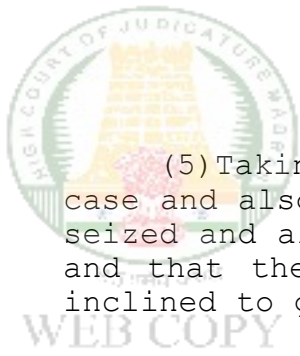
ORDER : The Court Made the following order :-

(*) (1) The petitioner/A2 who was arrested on 11.05.2022 for the alleged offences punishable under Sections 4(1)(i), 4(1)(aaa) r/w 4 (1-A) of the Tamil Nadu Prohibition Act, 1937 in Crime No.62 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 illicit arrack, resulting in the registration of the case.

(3) The learned counsel for the petitioner would submit that the petitioner is an innocent person and she is no way connected with the case. He would further submit that the petitioner is in custody for a period of 23 days.

(4) The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner was found in possession of 110 litres of illicit arrack. It is his further submission that the entire contraband was seized and that the investigation is pending. He would also submit that the petitioner has got no previous cases.



(5) Taking into consideration the facts and circumstances of the case and also taking note of the fact that the entire contraband was seized and also taking into consideration the period of incarceration and that the petitioner has got no previous cases, this Court is inclined to grant bail to the petitioner.

(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 No.II, Nagapattinam and on further condition 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 am., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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/-

01/06/2022

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.

(*) Being mentioned and All other observations made in the earlier order dated 01.06.2022, shall remain intact. as per order of this Court dated 17/06/2022. Made in Crl.O.P.NO.12813/2022.



TO

1 THE JUDICIAL MAGISTRATE,
NO.II, NAGAPATTINAM

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM(FOR INFORMATION)

3 THE OFFICER INCHARGE,
DISTRICT PRISON, NAGAPATTINAM

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
THIRUKUVALAI POLICE STATION,
NAGAPATTINAM DISTRICT

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

CRL OP.12813/2022

Date :01/06/2022

RVR 01/06/2022

TA-20/06/2022