



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.14353 of 2022

1.Narayanan
2.Vivekanandhan
3.Lokeshwaran

.. Petitioners/A1 to 3

Vs.

The State rep. by
The Inspector of Police,
SIPCOT Police Station,
Krishnagiri District
Crime No.250 of 2022

.. Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in crime No.250 of 2022 pending investigation on the file of the respondent police.

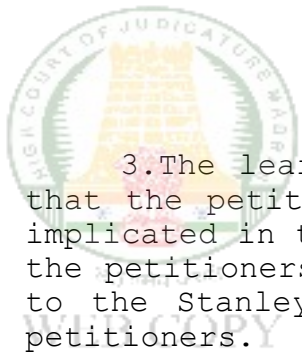
For Petitioners : Mr.Swamisubramanian

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial custody on 14.06.2022 for the offences punishable under Sections 4(1) (a) r/w 4(1-A) of Tamilnadu Prohibition Act in crime No.250 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 14.06.2022 at about 7.00 a.m., while the Sub Inspector of Police attached to the respondent police on prohibition duty, they found that the petitioners illegally transported 240 packets of 180 ml each brandy, 65 packets of whisky each 180 ml from Karnataka to Tamilnadu. Hence the case.



3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. On instructions, he would further submit that the petitioners are ready to jointly deposit an amount of Rs.10,000/- to the Stanley Medical College and prays for grant of bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the petitioners were found in illegal possession of 240 packets of 180 ml each brandy, 65 packets of whisky each 180 ml. He would further submit that the petitioners have no previous cases. However, he vehemently opposed to grant bail to the petitioners.

5.Taking into consideration the facts of the case and the submissions made by the learned counsels and also taking note of the fact that the petitioners have come forward to jointly deposit an amount of Rs.10,000/- to the Stanley Medical College, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to jointly deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) directly to the Dean, Stanley Medical College, Chennai, and on such deposit the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Hosur, Krishnagiri District 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 jointly deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) directly to the Dean, Stanley Medical College, Chennai to enable the Dean to use the aforesaid amount for the purpose of treating the alcohol influenced patients.

[c] the petitioners shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

[d] the petitioners shall not abscond either during investigation or trial.

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

[f] 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 petitioners 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].

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
22/06/2022

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.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, HOSUR, KRISHNAGIRI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
KRISHNAGIRI DISTRICT

4 THE OFFICER INCHARGE
SUB JAIL, HOSUR

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE DEAN,
STANLEY MEDICAL COLLEGE, CHENNAI

+1 CC to M/S. SWAMISUBRAMANIAN Advocate on payment of necessary charges SR.NO.9685

CRL OP.14353/2022

Date :22/06/2022

JPA 23/06/2022