



Crl.OP.No.21548 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.OP.No.21548 of 2022

Rajendran

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
D-1, Ramanathapuram Police Station,
Coimbatore.
(Crime No.388/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in Crime No.388 of 2022 pending on
the file of the respondent police.

For Petitioner : Mr.M.Mohamed Riyaz

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)



Crl.OP.No.21548 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.08.2022 for the offences punishable under Sections 4(1)(a), 4(1)(i) and 24 of TNP Act, in Crime No.388 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.08.2022, when the police were on Patrol duty, the petitioner was found selling IMFL liquor against the Liquor Rules and the police also seized 74 liquor bottles of various brands. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner in violation of Liquor Rules was found selling liquor on 15.08.2022 i.e., Independence day. He would also



Crl.OP.No.21548 of 2022

submit that there is one previous case as against the petitioner. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record.

6. Taking into consideration of the facts and circumstances of the case, the submissions made by the learned counsel and that the petitioner is in custody from 15.08.2022 and also there is one previous case as against the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.VI, Coimbatore**, 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



WEB COPY



Crl.OP.No.21548 of 2022

respondent Police daily morning at 10.30 a.m., and evening at 05.30 p.m, 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 abscond, a fresh FIR can be registered under Section 229A IPC.

rgi

07.09.2022



Crl.OP.No.21548 of 2022

WEB COPY

To

1. The Judicial Magistrate No.VI,
Coimbatore.
2. The Inspector of Police,
D-1, Ramanathapuram Police Station,
Coimbatore.
3. The Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.OP.No.21548 of 2022

A.D.JAGADISH CHANDIRA., J.

rgi

Crl.O.P.No.21548 of 2022

07.09.2022