



CrI.O.P.No.21707 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2022

CORAM

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

CrI.OP.No.21707 of 2022

Saranraj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Ambur Town Police Station,
Thirupathur.
(Crime No.191/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail in Crime No.191 of 2022
pending investigation before the respondent police.

For Petitioner : Mr.S.Ramesh

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.07.2022 for the offences punishable under Section 328 of IPC and Section 4(1)(i), 4(1)(aaa) and 4(1-A)(ii) of Tamilnadu Prohibition Act, in Crime No.191 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on receipt of a secret information, when the respondent police conducted a search, the petitioner was found in illegal possession of 120 litres of I.D Arrack. 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 is a habitual offender and he has got five previous cases, out of which one is of similar nature. Hence, he vehemently opposed to grant bail to the petitioner.

5. At this juncture, learned counsel for the petitioner would submit



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that earlier cases were registered during the year 2014 and 2015 and only one previous case is relating to the year 2022. Therefore, he would seek for grant of bail to the petitioner.

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

7. Taking into consideration of the facts and circumstances of the case, the submissions made by the learned counsel, this Court is inclined to grant bail to the petitioner.

8. 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 Additional District Munsif-cum-Judicial Magistrate, Ambur** 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



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**respondent Police, daily at 10.30 a.m., and 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.

09.09.2022

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To

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1. The Additional District Munsif-cum-Judicial Magistrate,
Ambur.
2. The Inspector of Police,
Ambur Town Police Station,
Thirupathur.
3. The Superintendent,
Sub Jail,
Ambur.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

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