



Crl.O.P.No.22476 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2022

CORAM

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

Crl.O.P.No.22476 of 2022

Ranganayagi

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Villupuram PE Wing,
Villupuram District.

(Crime No.52 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail, in Crime No.52 of 2022, pending
investigation on the file of the respondent Police.

For Petitioner : Mr.C.C.Chellappan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor



WEB COPY



Crl.O.P.No.22476 of 2022

ORDER

The petitioner, who was arrested and remanded to judicial custody for the offences punishable under Sections 4(1)(aa), 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.52 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the respondent police was on their routine patrol duty, they found the petitioner was in possession of 60 litres of illicit ID arrack. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that pursuant to the arrest of the petitioner, she was detained under Act 14 vide Government Order G.O.Rt.No.1566, Home, Prohibition and Excise (XIV) Department, dated 25.03.2022 and subsequently, by an order G.O.Rt.No.3571 of 2022 dated 14.06.2022, the detained order has been revoked by the Government. He would also submit that the petitioner has been in custody from 17.03.2022 and therefore, he prays for grant of bail to the petitioner.



Crl.O.P.No.22476 of 2022

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner was found in possession of 60ltrs of illicit ID arrack. He would also submit that there are thirty previous cases against this petitioner. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned learned Additional Public Prosecutor for the respondent and perused the materials available on record including the revoked order passed by the Government.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel and also considering the petitioner being lady and her long incarceration, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five**



Crl.O.P.No.22476 of 2022

thousand only) with two sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate-II Villupuram District**, and on further conditions that:

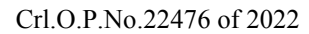
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. and 05.30p.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]**;



16.09.2022

To

1. The Judicial Magistrate-II,
Villupuram District.
2. The Inspector of Police,
Villupuram PE Wing,
Villupuram District.
3. The Special Prison for Women,
Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.22476 of 2022

A.D.JAGADISH CHANDIRA., J.

ham

Crl.O.P.No.22476 of 2022

16.09.2022