



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/01/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.1488 of 2022

WEB COPY

1. Kumar
2. Saravanan
3. Pragatheeswaran

... Petitioners/Accused No.1 to 3

Vs

The State rep.by
The Inspector of Police,
Jambunathapuram Police Station,
Trichy District
(Crime No.4 of 2022).

... Respondent/Complainant

For Petitioners: Mr.M.MAHENDRAN,
Advocate.

For Respondent : Mr.SS.MADHAVAN,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No. 4 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who were arrested on 16.01.2022 for the offence under Sections 4(1)(a), 4(1)(1)r/w 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.4 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the accused persons were found in illegal possession of 9 bottles of liquor. The case in Crime No.4 of 2022 was registered against the petitioners under Sections 4(1)(a), 4(1)(1)r/w 4(1-A) of Tamil Nadu Prohibition Act.

3.On the side of the petitioners, it is stated that A1 is the father of A3 and A2 is the friend of A3. The total quantity of liquor is below four litres and the petitioners were having the liquor for their person consumption. The petitioners are in custody from 16.01.2022. Hence, he seeks bail.

4.On the side of the respondent it is stated that the first petitioner is having 10 previous cases and the second and third petitioners are not having any previous case at their credit and pray the petition to be dismissed.



5.The petition against the first petitioner is dismissed as withdrawn.

6.Considering the period of incarceration undergone by the petitioners, considering the overt act against the petitioners, considering the facts that the petitioners 2 &3 are not having any previous cases and considering the quantity of liquor, this Court is inclined to grant bail to the petitioners 2 & 3 with certain conditions.

7.Accordingly, the second and third petitioners are ordered to be released on bail, on executing a personal bond each 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, Thuraiyur and on further condition that the second and third petitioners shall report before the concerned Court daily at 10.30 a.m. for a period of ten days.

sd/-
28/01/2022

/ TRUE COPY /

28/01/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE, THURAIYUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE,
JAMBUNATHAPURAM POLICE STATION,
TRICHY DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.1488 of 2022
Date :28/01/2022

SA/VR/SAR.1/28.01.2022/2P/6C

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