



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/05/2022

PRESENT

WEB COPY

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.9319 of 2022

M.Murugesan

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Sub Inspector of Police,
P.E.W Karur Police Station,
Karur, Karur District.
(Crime No.540 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Pragalathan N,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 540/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded judicial custody on 27.04.2022 for the offences punishable under Sections 4(1)(a) r/w 4(1-A) of the Tamilnadu Prohibition Act, in Crime No.540 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 10 brandy bottles (Each bottles contains 180 ML Brandy).

3.The learned counsel for the petitioner submits that the petitioner is the sole accused and he has not committed any offence. He further submits that the petitioner has been falsely implicated in this case.

4.The learned Government Advoaacte(Crl.side) appearing for the respondent submits that investigation iss almost completed and also submits that one previous case is pending against this petitioner.



5.The petitioner is the sole accused and investigation is almost completed with regard to the petitioner and the petitioner is in custody from 27.04.2022.

6.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 Judicial Magistrate Court No.1, Kuzhithalai, Karur District.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police on every Wednesday at 10.30 a.m., for a period of three months and thereafter as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]***.

sd/-
18/05/2022

/ TRUE COPY /

18/05/2022
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 NO.1,
KUZHITHALAI, KARUR DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3. THE OFFICER-INCHARGE,
SUB-JAIL, KUZHITHALAI,
KARUR DISTRICT.

4. THE SUB INSPECTOR OF POLICE,
PEW KARUR POLICE STATION,
KARUR, KARUR DISTRICT.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-4696[I] dated 18/05/2022)

ORDER
IN
CRL OP(MD) No.9319 of 2022
Date :18/05/2022

TTA
USK/SVR/SAR-II/18.05.2022/3P/7C