



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2022

WEB COPY

PRESENT

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

CRL OP(MD) . No.9405 of 2022

Peer Mohamed

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Chernmahadevi Police Station,
Tirunelveli District.
Crime No.76 of 2022.

... Respondent/Complainant

For Petitioner : M/s.C.Saravanakumar,
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.76 of 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 06.05.2022 for the offences punishable under Sections 4 (1) (i) of the Tamil Nadu Prohibition Act and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.76 of 2022, on the file of the respondent police, seeks bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent police.

3.The petitioner was found in possession of eight bottles of Carnival Dry Gin Karnataka State Liquor bottles for the purpose of sale to students. Hence, the complaint.

4.The learned counsel appearing for the petitioner submits that a false complaint has been foisted against the petitioner due to



previous motive and the petitioner has not committed any offence as alleged by the respondent police and hence, he prays for grant of bail.

5.The learned Government Advocate submits that no previous case is pending against the petitioner and the petitioner is in custody from 06.05.2022 onwards. He further submits that the investigation is almost completed.

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 learned Judicial Magistrate, Cheranmahadevi.

(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 cards or Bank Pass Books to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(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

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18/05/2022

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

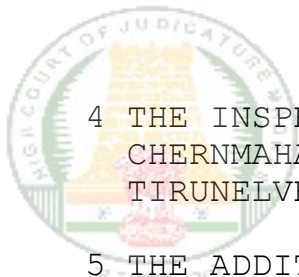
TO

1 THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3 THE SUPERINTENDENT,
CENTRAL PRISON,

<https://hcserv1.mca.gov.in/CaseDetails.aspx?CaseNo=MDK01154115>



4 THE INSPECTOR OF POLICE
CHERNMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.9405 of 2022

Date :18/05/2022

RS/JM/SAR.2 (18.05.2022) 3P-6C