



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11299 of 2022

T.Baskar

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Swamimalai Police Station,
Thanjavur District.
Crime No.308 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Senthilkumar B, Advocate.
For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.308 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested on 04.06.2022 for the alleged offences under Sections 4(1)(a) and 4(1-A) of TNP Act, in Crime No.308 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with another accused were found in possession of 30 TASMAL Liquor bottles. Each bottle contains 180 ml without any valid license and permit. The respondent police registered the case against the petitioner and the other accused and arrested them and remanded to judicial custody on 04.06.2022.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that on earlier occasion, when the matter came up for hearing, this Court has directed the petitioner to file an undertaking affidavit that the petitioner will not indulge in such activities in future since he is having 8 previous cases. As per the direction of this Court, affidavit has also been filed. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) for the respondent police submitted that in pursuance of the direction of this Court, the petitioner has filed an undertaking affidavit, this Court may



consider the bail application of the petitioner.

5.Considering the duration of incarceration and also considering the representation made by the learned counsel for the petitioner, this Court is inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond 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 No.II, Kumbakonam, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

7.If any violation is noticed or any new case is registered against the petitioner, bail granted by this Court, shall stand automatically cancelled. After releasing on bail, the petitioner must file a copy of the above said affidavit before the concerned Magistrate Court and send another copy to the concerned Police Station.

sd/-

30/06/2022

/ TRUE COPY /

30/06/2022

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.II, KUMBAKONAM.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE, SUB JAIL, KUMBAKONAM.
- 4 THE INSPECTOR OF POLICE, SWAMIMALAI POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.SENTHIL KUMAR, Advocate (SR-6348[I] dated 30/06/2022)

ORDER IN

CRL OP(MD) No.11299 of 2022
Date :30/06/2022

RS/VR/SAR.4 (30.06.2022) 2P-7C

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