



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.11995 of 2022

WEB COPY

Saminathan

... Petitioner/Accused No.2

Vs

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

... Respondent/Complainant

For Petitioner : Mr.Sivabalan, 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 :-

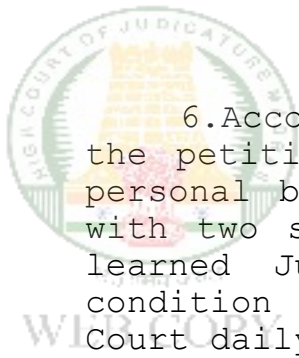
The petitioner/A2, who was arrested and remanded to judicial custody on 04.06.2022 for the offences punishable under Section 4(1) (a) and 4(1-A) of Tamil Nadu Prohibition Act in Crime No.308 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 04.06.2022 at about 11.00 am., when the respondent police as usual was on patrol duty near the place of occurrence, they found that the petitioner was in possession of 30 numbers of 180ML TASMAL liquor bottles for sale. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) for the respondent submits that the petitioner is having 8 previous cases.

5.Considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.



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 concerned Court daily at 10.30 a.m. until further orders.

sd/-

07/07/2022

/ TRUE COPY /

08/07/2022

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 MR.K.SIVABALAN, Advocate (SR-6841[I] Dated 08/07/2022)

ORDER

IN

CRL OP(MD) No.11995 of 2022

Date : 07/07/2022

RS/VR/SAR.4 (08.07.2022) 2P-7C