



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/07/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . Nos.12090 and 12091 of 2022

Anbu ... Petitioner / Accused No.1
in Crl.O.P(MD).No.12090 of 2022

Manjula ... Petitioner / Accused No.2
in Crl.O.P(MD).No.12091 of 2022

Vs

The State rep.by,
The Inspector of Police,
Budalur Police Station,
Thanjavur District.
(Crime No.196 of 2022)

... Respondent / Complainant
in both Crl.O.Ps

For Petitioners : Mr.K.M.Karunakaran,
Advocate.(in both Crl.O.ps)

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)
(In both Crl.O.Ps)

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

COMMON PRAYER :-For Bail in Crime No.196 of 2022 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2, who were arrested on 22.06.2022 for the alleged offences under Sections 4(1)(a)(i) r/w 4 (1-A) of Tamilnadu Prohibition Act, in Crime No.196 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 114 number of liquor bottles. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners have filed an undertaking affidavit that they will not

<https://www.mca.gov.in/>



indulge in such activities in future. He would further sue at the petitioners' daughter's marriage scheduled to be held on 08.07.2022. Hence, he prays for bail to the petitioners.

4. The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the petitioners are husband and wife and they were continuously doing the very same illegal activities, over which, the repeated FIRs have been filed against them and they were not corrected themselves.

5.Considering the facts and circumstances of this case, undertaking affidavit filed by the petitioners and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

7.If any violation is noticed, bail granted by this Court, shall stand automatically cancelled without reference to this Court. After releasing on bail, the petitioners must file a copy of the above said affidavit before the concerned Magistrate Court and send another copy to the concerned Police Station.

sd/-
06/07/2022

/ TRUE COPY /

06/07/2022
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,
THIRUVAIYARU.

2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.

<https://www.mhc.tn.gov.in/judis>



3 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

4 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, TRICHY.

5 THE INSPECTOR OF POLICE
BUDALUR POLICE STATION, THANJAVUR DISTRICT.

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

+2 CC to MR.K.M.KARUNAKARAN, Advocate (SR-6674, 6675[I] dated
06/07/2022)

ORDER IN
CRL OP (MD) . Nos.12090 and
12091 of 2022
Date :06/07/2022

MK/PN/SAR.IV/06.07.2022/3P/9C