



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

Date : 13/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12561 of 2022

WEB COPY

Saravanan

... Petitioner/Accused Rank 1

Vs

State Rep.by
The Inspector of Police,
Kumbakonam West Police Station,
Kumbakonam,
Thanjavur District.
(In Crime No.497/2022).

... Respondent/Complainant

For Petitioner : M/s.V.Selvakumar, 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.497 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 28.06.2022 for the alleged offences under Sections 4(1) (aa), 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.497 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 55 liters of Pondicherry arrack. Hence, the complaint.

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 the petitioner is ready to file an undertaking affidavit before the respondent police as well as the Court that he will not indulge in such activities in future. He would further submit that the petitioner is in judicial custody from 28.06.2022.

4.The learned Government Advocate (Crl. side) appearing for the respondent police submitted that one previous case is pending against this petitioner.



5.Considering the facts and circumstances of this case so considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain 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.I, Kumbakonam, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

7.After releasing on bail, the petitioner must file an undertaking affidavit stating that he will not indulge this kind of offence in future before the concerned Magistrate Court and send another copy to the concerned Police Station.

8.If any violation is noticed after filing undertaking affidavit, bail granted by this Court, shall stand automatically cancelled without reference to this Court.

sd/-

13/07/2022

/ TRUE COPY /

13/07/2022

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

ORDER

IN

CRL OP(MD) No.12561 of 2022

Date :13/07/2022

RS/PN/SAR.2 (13.07.2022) 2P-6C