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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13497 of 2022

Muthukumar

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Suthamalli Police Station,
Tirunelveli.
Crime No.183 of 2022.

... Respondent/Complainant

For Petitioner : Mr.NIRMAL KUMAR.K, 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.183 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Section 4(1) (i) of TNP Act and 77 of JJ Act, 2015 in Crime No.183 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the petitioner was found in possession of 3 bottles of liquor of various brands with an intend to sell the same to the persons below 18 years for higher price. 57 bottles of liquor and a sum of Rs.600/- were recovered from the petitioner. Hence, the present case came to be registered.

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. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner is having 1 previous case similar in nature.

5.At this juncture, the learned counsel for the petitioner would submit that the petitioner is ready to file an undertaking affidavit that he will not indulge in such activities in future.



6. Considering the period of incarceration and also considering the fact that the willingness of the petitioner to file an undertaking affidavit, this Court is inclined to grant bail to the petitioner with stringent conditions.

7. 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, Cheranmahadevi, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

8. The petitioner must file an undertaking affidavit that he will not indulge in such activities in future. If any violation is noticed, 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/-

29/07/2022

/ TRUE COPY /

29/07/2022

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, CHERANMAHADEVI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE,
SUTHAMALLI POLICE STATION, TIRUNELVELI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.NIRMAL KUMAR K Advocate SR.No.7896

ORDER IN

CRL OP(MD) No.13497 of 2022
Date : 29/07/2022

SA/PN/SAR.2/29.07.2022/2P/7C

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