



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15866 of 2022

WEB COPY

Rajesh

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Kumbakonam PEW Police Station,
Thanjavur District.
Crime No.1810 of 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.1810 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 15.08.2022 for the alleged offences under Sections 4(1)(a), 4(1-A) of Tamilnadu Prohibition Act, in Crime No.1810 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 150 Bottles of arrack liquor. Each contains 180 ml. Hence, the case.

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 he is ready to file an undertaking affidavit that he will not indulge in such activities in future.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner was found in illegal possession of 150 Bottles of Panticherry arrack liquor. Each contains 180 ml. But, however, no bad antecedent is reported against the petitioner.

5.Considering the period of incarceration and also considering the fact that willingness of the petitioner to file an undertaking



affidavit that he will not indulge in such activities in future, 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.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. 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/-

02/09/2022

/ TRUE COPY /

02/09/2022

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 PEW POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.15866 of 2022

Date : 02/09/2022

DSS

RS/SVR/SAR.1 (02.09.2022) 2P-6C

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