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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20470 of 2021

Muthupandi

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No.514/2021).

... Respondent/Complainant

For Petitioner : M/s.C.Saravanakumar
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.514 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3 herein, who was arrested on 11.12.2021 for the alleged offence under Sections 4(1-A) of Tamil Nadu Prohibition Act, 1937, in Crime No.514 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were in possession of 15 Accord No.1 brandy bottles and two poisonous brandy bottles. 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.

4.The learned Additional Public Prosecutor would submit that there are totally three accused in this case and out of which the



petitioner is having four previous cases.

5.The learned counsel for the petitioner submitted that only because of his employment in the Bar run by the first accused, four previous cases have been registered against the petitioner herein.

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6.It is seen that the petitioner is having the habit of engaging himself in such an illegal activities and seeking bail before the Court and again making offences after coming out on bail. The petitioner must correct himself.

7.However, considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions. The petitioner has to file an undertaking affidavit that he will not indulge in such an illegal activities in future. If any case is registered after grant of bail by this Court, the relief of bail granted to the petitioner will automatically get cancelled.

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

sd/-

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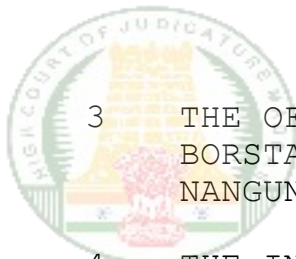
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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
NANGUNERI

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



- 3 THE OFFICER INCHARGE
BORSTAL SCHOOL, SUB-JAIL,
NANGUNERI.
- 4 THE INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.20470 of 2021
Date :04/01/2022

RS/PN/SAR.3(04.01.2022) 3P-6C