



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2023

CORAM:

THE HON'BLE **Dr. JUSTICE G.JAYACHANDRAN**

Crl.O.P.No.14956 of 2023

Sivakumar

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Vaduvoor Police Station,
Thiruvarur District.
(Cr.No.202 of 2023)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Cr.No.202 of 2023 on the file of the Inspector of Police, Vaduvoor Police Station, Thiruvarur District.

For Petitioner : Mr.Swami Subramanian
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER

The petitioner/accused, who was arrested on 14.05.2023 for the offences punishable under Sections 4(1)(aaa), 4(1)(g), 4(1-A) of Tamil



Nadu Prohibition Act and Section 328 of IPC in Crime No.202 of 2023,
seek bail.

2. According to the First Information Report, the petitioner was in possession of 20 liters of ID arrack. Hence he was arrested on 14.05.2023 and the earlier bail petition was dismissed by this Court on 16.06.2023.

3. The learned Government Advocate (Crl.Side) appearing for the State submitted that there is no previous case against the petitioner and the investigation is almost completed.

4. In view of the above submissions, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a separate 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, Mannargudi, Thiruvarur District;**

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;



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(c) the petitioner is directed to report before the Investigating Officer as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court him= self as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala* [(2005)AIR SCW 5560];

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

20.07.2023

rpl

To

1.The Judicial Magistrate No.I, Mannargudi, Thiruvarur District.

2.The Inspector of Police,
Vaduvoor Police Station,
Thiruvarur District.

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Dr.G.JAYACHANDRAN, J.

rpl

3.The Superintendent of Prison,
Sub-Jail, Mannargudi.

4.The Public Prosecutor,
High Court, Madras.

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