



Crl.OP.No.15611 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.OP.No.15611 of 2023

Praveenkumar

..Petitioner

Vs.

The State Rep. By
The Inspector of Police,
PEW, Hosur,
Krishnagiri District.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No.730 of 2023 on the file of the Respondent Police.

For Petitioner : Mr.J.Pradeep

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.06.2023 for the offences punishable under Sections 4(1)(a) read with Section 4(1-A) of Tamil Nadu Prohibition Act in Crime No.730 of 2023, on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent and he has been falsely implicated in a case registered for the offence under Sections 4(1)(a) read with Section 4(1-A) of Tamil Nadu Prohibition Act. Thus, he seeks bail to the petitioner.

3. In response, learned Government Advocate (Crl. Side) submitted that, on 29.06.2023, at about 16.45 hrs., petitioner was found in possession of 18.750 litres of Karnataka liquor in a two wheeler bearing Reg. No. TN 23 CJ 4735 . The vehicle and the liquor had been seized. Petitioner has no similar previous case. However, he opposed for grant of bail to the petitioner.



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4. Considering the fact that the vehicle and the liquor involved had been seized from the petitioner and the fact that the petitioner has no similar previous case and also that the petitioner is in Judicial Custody from 29.06.2023 and that material part of the investigation is completed, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/-** (Rupees Twenty Five thousand only) with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.2, Hosur** and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30.a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.



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[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 Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself 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.

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To

1. Judicial Magistrate No.2,
Hosur.

2. The Inspector of Police,
PEW, Hosur,
Krishnagiri District.

3. Sub Jail,
Hosur.

4. The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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