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Crl.O.P.No.17469 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

CORAM

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

Crl.O.P.No.17469 of 2023

Chandra

...Petitioner

Vs.

State by its
Sub - Inspector of Police,
Arakkonam PEW Police Station,
Arakkonam,
Ranipet District.
(Crime No.470 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No.470 of 2023 on the file of respondent.

For Petitioner : Mr.K.G.Senthil Kumar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



Crl.O.P.No.17469 of 2023

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.07.2023 for the offences punishable under Sections 4(1)(a), 4(1-A)(ii) of TNP Act in Crime No.470 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is innocent and she has been falsely implicated in this case. He further submitted that, petitioner is in judicial custody from 02.07.2023. Thus, he prays for grant of bail.

3. In reply, the learned Additional Public Prosecutor submitted that, on 02.07.2023, at about 10.00 a.m., respondent police found the petitioner near her house at Vedal Village, Gandhi Nagar along with 12 bottles of TOP STAR brandy. Therefore, he prays for dismissal of this bail petition.

4. When this Court puts a question, as to whether the samples from the seized liquor bottles have been sent for chemical analysis, learned Additional Public Prosecutor, on instructions submitted that so far samples have not been sent for chemical analysis. Possession of



Crl.O.P.No.17469 of 2023

brandy bottles itself is not an offence.

5. In the said circumstances, this Court is inclined to grant bail to the petitioner and the petitioner is ordered to be released on bail on her 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, Arakkonam, Ranipet District**, 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 learned Judicial Magistrate, Arakkonam, Ranipet District, daily at 10.30 a.m., for a period of 30 days.

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

[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 petitioner in accordance with law as if the conditions have been imposed and the



Crl.O.P.No.17469 of 2023

petitioner 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.

04.08.2023

mpl

To

- 1.The learned Judicial Magistrate,
Arakkonam,
Ranipet District.
- 2.The Central Prison for Women,
Vellore.
- 3.The Sub - Inspector of Police,
Arakkonam PEW Police Station,
Arakkonam,
Ranipet District.
- 4.The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.17469 of 2023



WEB COPY



Crl.O.P.No.17469 of 2023

G.CHANDRASEKHARAN, J.

mpl

Crl.O.P.No.17469 of 2023

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