



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2023

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.19467 of 2023

Udayakumar

.. Petitioner/Sole Accused

Vs.

State Rep.by
The Sub-Inspector of Police,
Kalavai Police Station,
Ranipet District.
(Crime No. 130/2023)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.130 of 2023 pending on the file of the respondent.

For Petitioner : M/s.P.Muthamizhselvakumar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



ORDER

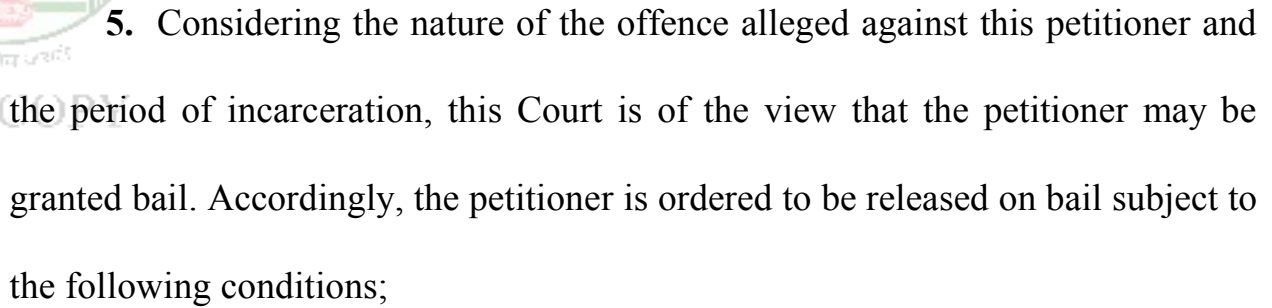
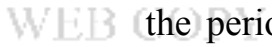
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The petitioner herein, who was found in possession of 18 bottles of TASMAL liquor each 180 ml, was arrested by the respondent police on 27.06.2023.

2. According to the First Information Report, the unlabeled opened bottles smell poisonous odour and therefore, sample has been drawn and sent for chemical analysis. The analysis report is awaited.

3. The learned counsel appearing for the petitioner submitted that for more than 60 days, the petitioner is in prison and final report is not yet filed.

4. The learned Additional Public Prosecutor appearing for the State submitted that six previous cases are pending against this petitioner in similar nature. Being a habitual bootlegger, if he released on bail, he will again indulge in the same offence. Hence opposed to grant bail to the petitioner.



(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;

(d) the petitioner shall not abscond either during investigation or trial;

(f) 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



Dr.G.JAYACHANDRAN, J.

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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];

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

25.08.2023

rpl

To

1.The District Munsif cum Judicial Magistrate Court, Arcot.

2.The Sub-Inspector of Police,
Kalavai Police Station,
Ranipet District.

3.The Superintendent,
Central Prison
Vellore.

4.The Public Prosecutor,
High Court, Madras.

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