



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2023

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.19743 of 2023

Rani

.. Petitioner/Accused

Vs.

State Rep.by
The Inspector of Police,
Arakandanallur Police Station,
(Crime No. 395/2023)

... 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.395 of 2023 pending investigation on the file of the respondent police.

For Petitioner : M/s.A.Dominic Johnson

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



ORDER

WEB COPY The petitioner herein was arrested on 27.07.2023 for the alleged possession of 50 litres of fermented wash and also 15 litres of ID arrack.

2. The learned Government Advocate (Crl.Side) appearing for the State submitted that there is no previous case against this petitioner in similar nature.

3. Considering the nature of the offence alleged against this petitioner and the petitioner being 63 years old, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thosand only)** with two sureties, each for a like sum, to the satisfaction of the learned **Judicial Magistrate, Tirukovilur;**

(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;

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



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

(e) the petitioner shall not tamper with evidence or witness 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 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.

28.08.2023

rpl

To

1.The Judicial Magistrate, Tirukovilur.

2.The Inspector of Police,
Arakandanallur Police Station,

3.The Superintendent,
Central Prison
Cuddalore.

Dr.G.JAYACHANDRAN, J.

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rpl

4.The Public Prosecutor,
High Court, Madras.

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