



Crl.O.P.No.20375 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

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

Crl.O.P.No.20375 of 2023

Chinnapparaj @ Chinnapparaja

...Petitioner

Vs.

The State by,
Station House Officer,
PEW, Chidambaram Police Station,
Cuddalore District
(Crime No.514 of 2019)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in PRC No.4 of 2023 on the file of learned District Munsif cum Judicial Magistrate, Kattumannarkoil, Cuddalore District.

For Petitioner : Mr.M.R. Elavarasan

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.07.2023 for the offences punishable under Sections 4(1)(aaa), 4(1-A), 14A of Tamilnadu Prohibition Act, Section 5, 6, 13 of Tamilnadu Rectified Spirit Rules 2000 r/w Section 468, 471, 420 IPC in Crime No. 514 of 2019 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that petitioner is accused in PRC No.4 of 2023 on the file of learned District Munsif cum Judicial Magistrate, Kattumannarkoil, Cuddalore District. Since, petitioner has not appeared before the Court on 01.12.2022, NBW was issued against him. Subsequently, he was arrested on NBW on 18.07.2023. Since then, he is in judicial custody. He has no previous case pending against him. He further submitted that petitioner would be regular in future hearing. Thus, he seeks bail.

3.In response, the learned Additional Public Prosecutor submitted



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that because of absence of petitioner, there is a delay in the trial of the case.

4.Considered the rival submissions and perused the records.

5.Considering the submission made by the learned counsel for the petitioner that petitioner would be regular in appearing before the trial Court in future hearings and that he in judicial custody from 18.07.2023, this Court is inclined to grant bail to the petitioner with conditions.

6. Accordingly, 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 District Munsif cum Judicial Magistrate, Kattumannarkoil**, 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.



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[b] the petitioner shall report before the concerned Court on all working days at 10.00.a.m., until further orders and on the date of hearings without fail.

[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 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.

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To

- 1.District Munsif cum Judicial Magistrate,
Kattumannarkoil.
- 2.Central Prison,
Cuddalore.
- 3.Station House Officer,
PEW, Chidambaram Police Station,
Cuddalore District.
- 4.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN. J.

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