



Crl.OP.No.22344 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.22344 of 2023

Rokesh
S/o.Muniraj

...Petitioner

Vs.

State: The Inspector of Police,
PEW Police Station,
Hosur, Krishnagiri District,
(Crime No.963 of 2023)
...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail relating to Crime No. 963 of 2023 on the file of the respondent police.

For Petitioner : M/s.M.P.Saravanan
For Respondent : Mr.R. Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.08.2023 for the offences punishable under Sections 4 (1) (aa) r/w 4 (1-A) of TNP Act, in Crime No.963 of 2023, on the file of the respondent police, seeks bail.



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2.The learned counsel for the petitioner submitted that petitioner is an innocent person and he has been falsely implicated in Crime No.963 of 2023, on the file of the respondent police, only for statistical purpose. Thus, he prays to grant bail for the petitioner.

3.It is stated by the learned Government Advocate (Crl.Side) that on 08.08.2023, at about 09.00 a.m., petitioner and the second accused were found in possession of 86.400 litres of Karnataka make liquor and they had brought them into Tamil Nadu. It is stated that the second accused had been taken into custody and subsequently, released on bail. So far as this petitioner is concerned, it is stated that three previous cases are pending against the petitioner herein. Thus, he prayed for dismissal of this petition.

4.Taking into consideration, the period of incarceration suffered by the petitioner and the fact that other accused was granted bail, this Court is inclined to grant bail to the petitioner subject to the payment of **Rs.40,000/- (Rupees Forty Thousand Only) by the petitioner, to the**



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credit of the Dean, Government Hospital, Krishnagiri, within a period of two weeks from the date of receipt of a copy of this order.

Accordingly, the petitioner is ordered to be released on bail on he executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, 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 everyday Morning at 10.30 a.m., Evening at 5.30 p.m. until further orders.

[c] The petitioner is directed to pay a sum of Rs.40,000/-(Rupees Forty Thousand Only) to the credit of the Dean, Government Hospital, Krishnagiri, within a period of two weeks from the date of receipt of a copy of this order.

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



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[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 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.

11.10.2023

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To

1.Judicial Magistrate No.II, Hosur.

2.The Central Jail, Salem.

3.The Public Prosecutor,
High Court of Madras.

4.The Inspector of Police,
PEW Police Station,
Hosur, Krishnagiri District,
(Crime No.963 of 2023)



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C.V.KARTHIKEYAN. J.

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