



CrI.OP.No.22714 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2023

CORAM

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

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Poovathal W/o. Chinnathambi

...Petitioner

Vs.

State represented by the
Inspector of Police,
Sulur Police Station,
Coimbatore District.

(Crime No.492 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner's on bail in Crime No. 492 of 2023 on the file of respondent police on such terms and conditions.

For Petitioner : Mr.J.Ranjithkumar

For Respondent : Mr.R.Kishore Kumar
Government Advocate (CrI. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.07.2023 for the offence punishable under Sections 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition Act (TNP Act), in Crime No.492 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 34 numbers of 180 ML TASMAL liquor bottles. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has been incarceration for more than 72 days and the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent stated that the petitioner along with other accused were found in possession of 34 numbers of TASMAL liquor. He further stated that



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the petitioner is having 15 previous cases against him. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering all these factors and the period of incarceration by the petitioner from 18.07.2023 and taking note of the fact that investigation is over and the 1st accused has been granted bail, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his 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, Sulur, 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



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respondent Police daily at 10.30 a.m., until further orders.

[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. Judicial Magistrate,
Sulur.
2. Special Prison for Women, Central Prison,
Coimbatore.
3. The Public Prosecutor,
High Court of Madras

C.V.KARTHIKEYAN. J.



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