



WEB COPY



CrI.OP.No.23689 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2023

CORAM

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

CrI.OP.No.23689 of 2023

Raja @ Rajasekaran

...Petitioner

Vs.

State represented by
The Inspector of Police,
Kallakurichi PEW Police Station,
Kallakurichi.
(Crime No.38 of 2021)

...Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail, pending trial in P.R.C.No.10 of 2023 on the file of the learned Judicial Magistrate No.II, Kallakurichi.

For Petitioner : Mr.K.Selvaraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.06.2023 for the offence punishable under Sections 4(1-A),



CrI.OP.No.23689 of 2023

4(1)(aaa) and 4(1)(i) of the Tamilnadu Prohibition Act and Sections 6 and 7 of Tamilnadu Rectified Spirit Rules 2000, in P.R.C.No.10 of 2023 pending on the file of the learned Judicial Magistrate No.II, Kallakurichi in connection with Crime No.38 of 2021, seeks bail.

2.It is stated that the petitioner was found in possession of 1365 litres of rectified spirit.

3.It is stated by the respondent that there are 27 previous cases against the petitioner, in which, the petitioner had been granted bail in 25 cases.

4.The trial is also commenced and in order to give an opportunity to the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail on condition to execute 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, Kallakurichi, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



CrI.OP.No.23689 of 2023

Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the Judicial Magistrate No.II, Kallakurichi, on everyday at 5.30 p.m., until completion of the trial;

[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.

13.10.2023

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To

1.The Judicial Magistrate No.II, Kallakurichi.

2.The Central Prison, Cuddalore



CrI.OP.No.23689 of 2023

C.V.KARTHIKEYAN. J.

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3.The Inspector of Police,
Kallakurichi PEW Police Station,
Kallakurichi.

4.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.23689 of 2023

13.10.2023

(2/2)