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CrI.OP.No.23132 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM

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

CrI.OP.No.23132 of 2023

Kannadasan,
S/o.Veeramuthu

...Petitioner/Sole Accused

Vs.

State represented by its
The Inspector of Police,
Sathyamangalam Police Station,
Villupuram District.
(Crime No.214 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.214 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.Om Sai Ram

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.09.2023 for the offences punishable under Sections 4(1)(A),



Crl.OP.No.23132 of 2023

4(1)(a) of TN Prohibition Act, 1937 in Crime No.214 of 2023, on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that it is alleged in the FIR that on 02.09.2023, the petitioner was found in possession of 16 bottles of Director's Club Brandy and also 4 litres of Arrack. He further submitted that petitioner is an innocent person and he has been falsely implicated in this case. Thus, he prays for grant of bail to the petitioner.

3.It is stated by the learned Government Advocate (Crl.side) that there are seven previous cases against the petitioner herein, out of which, four cases are still pending. Thus, he prayed for dismissal of this petition.

4.However, taking into consideration of the facts and circumstances of this case and also that in other cases, bail has been granted, this Court is inclined to grant bail to the petitioner, subject to the



CrI.OP.No.23132 of 2023

payment of Rs.20,000/- (Rupees twenty thousand only) by the petitioner within a period of two weeks from the date of receipt of a copy of this order, to the credit of the Dean, Villupuram Government Hospital, Villupuram.

5. 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, Gingee** 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 at 10.30 a.m., until further orders.

[c] the petitioner is directed to pay a sum of Rs.20,000/- (Rupees twenty thousand only) to the credit of Dean, Villupuram Government Hospital,



CrI.OP.No.23132 of 2023

Villupuram, 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.

[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.

09.10.2023

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CrI.OP.No.23132 of 2023

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To

- 1.The Judicial Magistrate,
Gingee.
- 2.The Sub Jail,
Gingee.
- 3.The Public Prosecutor,
High Court of Madras.
- 4.The Inspector of Police,
Sathyamangalam Police Station,
Villupuram District.
(Crime No.214 of 2023)



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Crl.OP.No.23132 of 2023

C.V.KARTHIKEYAN. J.

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Crl.OP.No.23132 of 2023

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