



CrI.OP.No.23936 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

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

CrI.OP.No.23936 of 2023

Saraswathi W/o. Sankar

...Petitioner

Vs.

State by
The Inspector of Police,
PEW Thiruvannamalai Police Station,
Thiruvannamalai District.
(Crime No.683 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner/Accused on bail concerned in Crime No.683 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.R.Sasikumar

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 04.10.2023 for the offences punishable under Sections 4(1)(aa), 4(1-A) (ii) of Tamil Nadu Prohibition Act, in Crime No.683 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 55 litres of ID arrack.

3.It is stated by the petitioner that this case is a false case.

4.It is stated on behalf of the respondent that there are two previous cases against the petitioner.

5.Taking into consideration all the facts, I am inclined to grant bail to the petitioner with certain conditions;



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6. Accordingly, the petitioner is ordered to be released on bail on condition to make a non-refundable deposit of **Rs.20,000/- (Rupees Twenty Thousand only)** directly to the credit of "**The Dean/Medical Officer, Government General Hospital, Thiruvannamalai, within a period of two weeks from the date of receipt of a copy of this order,** without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, 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 Judicial Magistrate- II, Thiruvannamalai, 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 daily at 10.30 a.m until further orders.

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



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[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.The Judicial Magistrate-II, Thiruvannamalai.
- 2.Central Prison, Vellore (Special Prison for Women)
- 3.The Inspector of Police,
PEW Thiruvannamalai Police Station,
Thiruvannamalai.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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