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CrI.OP.No.24209 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM

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

CrI.OP.No.24209 of 2023

Kamsala

...Petitioner

Vs.

State by
The Inspector of Police,
PEW-Villupuram.
Villupuram District.
(Crime No.688 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.688 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.G.Mageshkumar

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 03.10.2023 for the offences punishable under Sections 4(1)(a) & 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.688 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 5 litres of ID arrack and 180 ml liquor in 45 pouches.

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 eight previous cases against the petitioner. However, the learned counsel for the petitioner stated that which had been observed in the order of the trial Court that two previous case are pending against the petitioner.

5.Taking into consideration all the facts, I am inclined to grant bail



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to the petitioner with certain conditions;

6. Accordingly, the petitioner is ordered to be released on bail on condition to make a non-refundable deposit of **Rs.25,000/- (Rupees Twenty Five Thousand only)** directly to the credit of "**The Dean/Medical Officer, Government General Hospital, Villupuram,** 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-I, Villupuram, 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 Morning at 10.30 a.m., and



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Evening at 5.30 p.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.

19.10.2023

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To

- 1.The Judicial Magistrate-I, Villupuram.
- 2.Sub-jail Women, Cuddalore.
- 3.The Inspector of Police,
PEW-Villupuram,
Villupuram.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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