



Crl.O.P.No.25024 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM

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

Crl.O.P.No.25024 of 2023

Ayothi S/o. Chinnapaiyan

... Petitioner/Accused-1

Vs.

State by
The Inspector of Police,
PEW Chengam Police Station
Tiruvannamalai District.

(Crime No.559 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.559 of
2023 on the file of the respondent police.

For Petitioner : Mr.Sathiyaraj.E

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



Crl.O.P.No.25024 of 2023

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ORDER

The petitioner seeks bail in Crime No.559 of 2023, registered by the respondent police for the offences punishable under Sections 4(1)(aa) r/w 4(1-A)(ii) of Tamil Nadu Prohibition Act. He had been remanded to judicial custody on 08.09.2023.

2. It is stated that on 24.08.2023, the respondent conducted a check at Valayampattu Village and found the petitioner possessing 55 litres of ID arrack in a plastic can.

3. It is stated on the side of the respondent that there are 12 previous cases pending against the petitioner herein.

4. Taking into consideration the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner herein subject to the following 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 Judicial Magistrate-I, Tiruvannamalai, and on further conditions that:



Crl.O.P.No.25024 of 2023

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[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 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.

07.11.2023

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C.V.KARTHIKEYAN. J.



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Crl.O.P.No.25024 of 2023

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To

1. The Judicial Magistrate-I, Tiruvannamalai.
2. The Central Prison, Vellore.
3. The Inspector of Police,
PEW Chengam Police Station,
Tiruvannamalai District.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.25024 of 2023

07.11.2023