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CrI.O.P.No.25022 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM

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

CrI.O.P.No.25022 of 2023

Prabu S/o. Murugesan

... Petitioner/Accused

Vs.

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

(Crime No.662 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.662 of
2023 on the file of the respondent police.

For Petitioner : Mr.Sathiyaraj.E

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

ORDER



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The petitioner seeks bail in Crime No.662 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.On 08.09.2023, on a routine checkup by the respondent, they found that the petitioner was sitting back side of his house with a mud pot, which contained 55 litres of ID arrack.

3.Taking into consideration the period of incarceration undergone by the petitioner and also the fact that the entire ID arrack had been seized, I am inclined to grant bail to the petitioner subject to the following conditions:

4.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:

[a] the sureties shall affix their photographs and Left Thumb



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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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To

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

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