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Crl.O.P.No. 25238 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

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

Crl.O.P.No.25238 of 2023

Anandan

... Petitioner

Vs.

The State rep by
The Sub Inspector of Police,
Vaniyambadi PEW Police Station,
Thirupathur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner / Accused on bail in Crime No.536 of 2023
pending on the file of the respondent Police.

For Petitioner : Mr.E.Kannadasan

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 17.09.2023, seeks bail in Crime No.536 of 2023, which was registered by



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the respondent Police for the offences under Sections 4(1)(aaa), 4(1)(h), 4(1-A)(ii) of TNP Act r/w Section 328 of IPC.

2.The learned counsel for the petitioner submitted that this is the second application for bail filed by the petitioner and the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. Thus, he prays for grant of bail for the petitioner.

3.It is stated by the learned Government Advocate (Criminal Side) that on 16.09.2023, at about 14.00 hours, when the respondent police were in routine vehicle check up at Natrampalli, in a car, 1440 packets of Old Secret Sterong XXX Rum were found. On enquiry, it was found that the same was purchased from Karnataka. Therefore, a case was registered against the accused. Thus, he prayed for dismissal of this petition.

4.Taking into consideration the period of incarceration and there is no previous case against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

5.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 Medical College and Hospital, Vellore**", without prejudice to



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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 learned Judicial Magistrate No.III, Thirupathur 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 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].



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC.

03.11.2023

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To

1. The Judicial Magistrate No.III, Thirupathur.
2. The Sub Inspector of Police,
Vaniyambadi PEW Police Station,
Thirupathur District.
3. The Sub Jail, Thirupattur.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN, J.

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