



WEB COPY



CrI.OP.No.26642 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

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

CrI.OP.No.26642 of 2023

Banu

...Petitioner

Vs.

The State represented by its
The Inspector of Police,
Chengam Police Station,
Tiruvannamalai District.
Crime No.754 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail in Crime No.754 of 2023 on the file of the respondent Police.

For Petitioner : Mr.M.Mariappan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.10.2023 for the offence punishable under Sections 4(1)(aa) r/w



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4(1-A)(ii) of TNP Act , in Crime No.754 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 50 litres of ID Arrack.

3.It is stated by the respondent Police that there are 32 previous cases against the petitioner, out of which, 19 cases are still pending.

4.Taking all the factors into consideration, 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 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, Chengam, 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 and 5.30 p.m., until further orders.



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[c] the petitioner shall deposit a sum of Rs.40,000/- (Rupees Forty Thousand only) as non-refundable deposit directly to the credit of the Dean/Medical Officer, Government General Hospital, Tiruvannamalai District and the said amount may be used for needy patients.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

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

01.12.2023

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C.V.KARTHIKEYAN. J.

vkr

To

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

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