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CrI.OP.No.26467 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2023

CORAM

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

CrI.OP.No.26467 of 2023

Jayapandi @ Tanker Pandi

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Nagore Police Station,
Nagapattinam District.

(Crime No.512 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.512 of 2023 pending
on the file of the respondent.

For Petitioner : Mr.P.Muthamizhselvakumar

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



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ORDER

The petitioner seeks bail in Crime No.512 of 2023, registered by the respondent police for the offences punishable under Sections 4(1)(aaa) r/w 4(1-A) of Tamil Nadu Prohibition Act. The petitioner had been taken into custody on 18.10.2023.

2. It is stated that the petitioner was in possession of 110 litres of arrack. However, it is further stated that the accused/A2 had been released on bail, after being arrested.

3. On the side of the respondent, it is stated that there are six previous cases pending against the petitioner herein but however, taking into consideration all the factors, I am inclined to grant bail to the petitioner herein subject to the following conditions:

4. Accordingly, petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non-refundable deposit to the credit of



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the Dean/Medical Officer, Government General Hospital, Nagapattinam, and the said amount may be used for treatment of the needy patients. On such deposit, the petitioner is ordered to be released on bail on his executing 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 Court-II, Nagapattinam, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the respondent police everyday Morning at 10.30 a.m., and 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



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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.

22.11.2023

rjr/ata



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To

- 1.The Judicial Magistrate Court-II, Nagapattinam.
- 2.District Prison, Nagapattinam.
- 3.The Inspector of Police,
Nagore Police Station,
Nagapattinam District.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

rjr



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