



Crl.O.P.No.26394 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

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

Crl.O.P.No.26394 of 2023

Selvamani,
S.o.Vellaiyan

...Petitioner/Accused

Vs.

State rep. by its
The Inspector of Police,
PEW-Kallakurichi Police Station,
Kallakurichi District.

(Crime No.353 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.353 of 2023 pending investigation on the file of respondent police on such terms and conditions.

For Petitioner : Mr.Maha Vishnu
for Mr.A.Gowtham

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



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ORDER

The petitioner/A2 seeks bail in Crime No.353 of 2023, registered by the respondent police for the offences punishable under Sections 4(1-A), 4(1) (a) of Tamil Nadu Prohibition Act for alleged possession of 25 litres of illicit arrack.

2.The petitioner had been arrested and remanded to judicial custody on 25.10.2023.

3.It is stated that A1 had been granted bail earlier and there are five previous cases against the petitioner but however, taking into consideration all these factors, 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 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 Judicial Magistrate, Sankarapuram 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.



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[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.

24.11.2023

rjr/ata



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To

1. The Judicial Magistrate, Sankarapuram.
2. The Sub Jail, Kallakurichi.
3. The Inspector of Police,
PEW-Kallakurichi Police Station,
Kallakurichi District.
4. The Public Prosecutor,
High Court of Madras



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C.V.KARTHIKEYAN. J.

rjr

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