



CrI.O.P.No.26947 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

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

CrI.O.P.No.26947 of 2023

Kumar @ Elaiyakumar

...Petitioner

Vs.

State represented by the
The Inspector of Police,
Gudiyatham PEW Police Station,
Vellore.
(Crime No.696 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.696 of 2023 on the file of the respondent Police.

For Petitioner : Mr.D.Anandan

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 01.11.2023 registered for the offences under Sections 4(1)(a), 4(1-A)(ii) of TNP Act, in Crime No.696 of 2023, seeks bail.



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2.It is stated that the petitioner was found in possession of 68 bottles of liquor (each containing 180 ml). There are eight previous cases against the petitioner.

3.But however, taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

4.Accordingly, the petitioner is ordered to be released on bail on condition to make a non-refundable deposit of **Rs.25,000/- (Rupees Twenty Five Thousand only)** directly to the credit of "**The Dean/Medical Officer, Government General Hospital, Vellore**", without prejudice to 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 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, Gudiyatham, Vellore District, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the



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Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall make a non-refundable deposit of **Rs.25,000/- (Rupees Twenty Five Thousand only)** directly to the credit of **"The Dean/Medical Officer, Government General Hospital, Vellore within a period of two weeks from the date of receipt of a copy of this order;**

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders;

[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].



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

28.11.2023

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To

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



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C.V.KARTHIKEYAN. J.

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