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CrI.OP.No.26570 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2023

CORAM

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

CrI.OP.No.26570 of 2023

Pichandi

...Petitioner

Vs.

State represented by,
The Inspector of Police,
PEW Chegam – Police Station,
Tiruvannamalai District.
(Crime No.633 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.633 of 2023 on the file of the respondent police.

For Petitioner : Mr.Sathiyaraj.E
For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal side)



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ORDER

The petitioner seeks bail in Crime No.633 of 2023, registered under Sections 4(1) (aa) r/w 4(1-A)(ii) of Tamil Nadu Prohibition Act. The petitioner was taken into custody on 10.11.2023 with possession of 55 litres of illicit arrack.

2.The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in this case. Thus, he prays for grant of bail to the petitioner.

3.It is stated that there are five previous cases pending against the petitioner herein. But however, taking into consideration the period of incarceration suffered by the petitioner and the surrounding 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 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-I, Tiruvannamalai**, and on further



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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 10.00 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.

06.12.2023

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C.V.KARTHIKEYAN, J.

sli

To

1. The Judicial Magistrate Court – I, Tiruvannamalai.

2. The Inspector of Police,
PEW Chegam – Police Station,
Tiruvannamalai District.
(Crime No.633 of 2023)

3. Sub Jail, Chengam, Tiruvannamalai.

4. The Public Prosecutor,
Madras High Court.

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