



WEB COPY



Crl.O.P.No.26810 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

CORAM

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

Crl.O.P.No.26810 of 2023

K.Sivakumar
S/o.Kuppusamy

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Meensurutti Police Station,
Ariyalur District.

(Crime No.297 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on Bail, who has been arrested in connection with the Crime No.297 of 2023, dated 05.11.2023 on the file of the Inspector of Police, Meensurutti Police Station, Ariyalur on such terms and conditions.

For Petitioner : Mr.B.Balavijayan

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



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ORDER

The petitioner seeks bail in Crime No.297 of 2023, registered by the respondent police for the offences punishable under Section 4(1)(a), 4(1-A) of Tamil Nadu Prohibition Act, with respect to an occurrence which took place on 05.11.2023.

2.It is stated that the petitioner was in possession of 10 (each bottle contain 180 ml) bottles of TASMAL Brandy.

3.It is also stated that there were ten previous cases against the petitioner but nine have been disposed of.

4.Taking into consideration the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

5.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 II, Jayankondam, 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



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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.

27.11.2023

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate II, Jayankondam.
2. The Sub Jail, Jayankondam.
3. The Inspector of Police,
Meensurutty Police Station,
Ariyalur District.
4. The Public Prosecutor,
High Court of Madras.

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