



CrI.O.P.No.27086 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM

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

CrI.O.P.No.27086 of 2023

Ajaikumar,
S/o.Ponnusamy Gounder

...Petitioner/Accused

Vs.

State rep. by
The Inspector of Police,
Polur Police Station,
Thiruvannamalai District.

(Crime No.455 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner/Sole accused on Bail pending investigation in Crime No.455 of 2023, on the file of Inspector of Police, Polur Police Station, Thiruvannamalai District on such terms and conditions.

For Petitioner : Mr.G.Saravanan

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



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CrI.O.P.No.27086 of 2023

ORDER

The petitioner seeks bail in Crime No.455 of 2023, registered by the respondent police for the offences punishable under Sections 4(1)(a) r/w 4(1-A) (ii) of the Tamil Nadu Prohibition Act, r/w 328 of IPC. The petitioner had been remanded to Judicial custody on 12.11.2023.

2.It is stated that the petitioner was in possession of 32 bottles of liquor. There is no previous case against the petitioner herein.

3.The learned counsel for the petitioner justified the possession of the said liquor and stating that it is legal but that is not a condition, which I accept but however, I am inclined to grant bail to the petitioner only on the ground that there are no previous cases against the petitioner with certain 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, Polur, Tiruvannamalai District 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



CrI.O.P.No.27086 of 2023

his Aadhar card or Bank pass Book to ensure his identity.

[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.

29.11.2023

rjr/ata



CrI.O.P.No.27086 of 2023

WEB COPY

To.

1. The Judicial Magistrate, Polur, Tiruvannamalai District.
2. The Sub Jail, Polur, Tiruvannamalai District.
3. The Inspector of Police,
Polur Police Station,
Thiruvannamalai District.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.27086 of 2023

C.V.KARTHIKEYAN. J.

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Crl.O.P.No.27086 of 2023

29.11.2023