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Crl.O.P.No.27607 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM

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

Crl.OP.No.27607 of 2023

Vinayagam

...Petitioner

Vs.

The State rep by,
The Sub Inspector of Police,
Gudiyatham P.E.W.P.S.,
Vellore District.
(Crime No.684 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.684 of 2023 on the file of the respondent police.

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

ORDER

The petitioner seeks bail in Crime No.684 of 2023 registered by the respondent Police for the offences under Sections 4(1)(a), 4 (1-A) (ii) of TNP Act. The petitioner was remanded to judicial custody on 27.10.2023.



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2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

3.It is stated that the petitioner was found in possession of 30 liquor bottles and remanded to judicial custody on 27.10.2023. There are six previous cases against the petitioner herein.

4.But, however, taking into consideration the period of incarceration suffered by the petitioner and all other surrounding factors, this Court is inclined to grant bail to the petitioner.

5. 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 **Judicial Magistrate, Gudiyatham, Vellore**,and on further 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.



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[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.

08.12.2023

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C.V.KARTHIKEYAN, J.

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To

1. The Judicial Magistrate, Gudiyatham, Vellore.

2.The Sub Inspector of Police,
Gudiyatham P.E.W.P.S.,
Vellore District.
(Crime No.684 of 2023).

3.The Sub Jail, Gudiyatham, Vellore.

4.The Public Prosecutor, Madras High Court.

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