



Crl.O.P.No.27283 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2023

CORAM

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

Crl.O.P.No.27283 of 2023

B.Balamurugan

... Petitioner/Accused

Vs.

The State represented by  
The Inspector of Police,  
Meensuruty Police Station,  
Ariyalur District.

(Crime No.298 of 2023)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
prayed to enlarge the petitioner on bail in Crime No.298 of 2023 on the file  
of the respondent.

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.298 of 2023, registered by the respondent police for the offences punishable under Sections 4(1)(a), 4(1-A) of Tamil Nadu Prohibition Act. The petitioner had been remanded to custody on 06.11.2023.

2.It is stated that the petitioner was in possession ten bottles of liquor with intention to sell it to higher price.

3.It is also stated that there are two previous cases against the petitioner but however, taking into consideration the period of incarceration and other 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 - II, Jayamkondam, 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 10.30 a.m., until further orders.**

**[c] the petitioner shall make a non-refundable deposit of Rs.25,000/- to the credit of the Dean, Government General Hospital, Ariyalur, for treatment of needy patients.**

[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].

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

12.12.2023

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**C.V.KARTHIKEYAN, J.**

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To

- 1.The learned Judicial Magistrate - II, Jayamkondam.
- 2.The Inspector of Police,  
Meensuruty Police Station,  
Ariyalur District.
- 3.The Sub-jail, Jayamkondam.
4. The Public Prosecutor,  
High Court of Madras.

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