



Crl.O.P.No.27721 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

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

**Crl.O.P.No.27721 of 2023**

Palani

...Petitioner/Accused(single)

Vs.

State rep.

The Inspector of Police,  
Thanipadi Police Station,  
Tiruvannamalai District.  
(Crime No.543 of 2023)

...Respondent

**PRAYER:**

Criminal Original Petition is filed under Section 439 of Cr.P.C.  
praying to enlarge the petitioner on bail in Crime No.543 of 2023  
pending investigation on the file of the Respondent police.

For Petitioner : Mr.E.Sathiyaraj

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



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### **ORDER**

The petitioner seeks bail in Crime No.543 of 2023, registered by the respondent police for the offences punishable under Sections 4(1)(aa), r/w 4(1-A)(ii) of Tamil Nadu Prohibition Act, in Crime No.543 of 2023. The petitioner had been remanded to custody on 08.11.2023.

2. It is stated that on 08.11.2023, the petitioner was found with illegal possession of 55 liters of illicit arrack kept in a lorry tube. There are 7 previous cases are pending against the petitioner.

3. Taking into consideration the period of incarceration, 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 his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, for a like sum to the satisfaction of the learned Judicial Magistrate, Thandrapattu, 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 his Aadhar card or Bank pass Book to ensure his 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.20,000/- (Rupees Twenty Thousand only) to the credit of the Dean, Government General Hospital, Tiruvannamalai, 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.**

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To

- 1.The Judicial Magistrate, Thandrampattu, Tiruvannamalai
- 2.The Central Prison, Vellore.
- 3.The Inspector of Police,  
Thanipadi Police Station,  
Tiruvannamalai District.
- 4.The Public Prosecutor,  
High Court of Madras.



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

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