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CrI.O.P.No.28649 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM

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

CrI.O.P.No.28649 of 2023

Selvam

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
PEW Uthangarai,
Krishnagiri District.
Crime No.464 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.464 of 2023 on the file
of the respondent.

For Petitioner : Mr.J. Pradeep

For Respondent : Mr.R. Kishore Kumar,
Govt. Advocate (Criminal Side)



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ORDER

The petitioner who was arrested and remanded to judicial custody on 30.11.2023 for the offences punishable under Sections 4(1)(a), r/w. 4(1-A) of TNP Act in Crime No.464 of 2023 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner was found in possession of 10 litres and 800 ml of Karnataka made liquor. It is also stated that there is no previous case against the petitioner.

3.Taking all the factors into consideration, this Court is inclined to grant bail to the petitioner.

4.Accordingly, the petitioner is ordered to be released on bail on executing 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, Uthangarai 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 appear before the respondent police daily 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.

22.12.2023

smv



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C.V.KARTHIKEYAN, J.

smv

To

1. The Judicial Magistrate, Uthangarai.
2. The Inspector of Police,
PEW Uthangarai,
Krishnagiri District.
3. The Sub Jail, Krishnagiri.
4. The Public Prosecutor,
High Court of Madras.

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