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CrI.O.P.No.28610 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2023

CORAM

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

CrI.O.P.No.28610 of 2023

Jothi W/o. Sekar

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
Prohibition Enforcement Wing,
Thirupathur,
Thirupathur District.

(Crime No.758 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.758 of 2023 on the file
of the respondent.

For Petitioner : M/S.Thulasi.R

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



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ORDER

The petitioner seeks bail in Crime No.758 of 2023, registered by the respondent police for the offences punishable under Section 4(1)(a) & 4(1-A)(ii) of TNP Act.

2.The petitioner had been remanded to custody on 05.12.2023 with possession of 21 bottles of liquor, two bottles of yet another liquor and 10 litres of ID arrack.

3.It is also stated that there are three previous cases which are pending against the petitioner herein but however, taking into consideration all 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 Judicial Magistrate No.I, Thirupathur, 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., for a period of four weeks and thereafter, once in a week i.e., on every Saturday 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.

21.12.2023

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C.V.KARTHIKEYAN, J.

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To

1.The Judicial Magistrate No.I, Thirupathur.

2.The Inspector of Police,
Prohibition Enforcement Wing,
Thirupathur,
Thirupathur District.

3.The Special Prison for Women, Vellore.

4. The Public Prosecutor,
High Court of Madras.

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