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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.7355 of 2023

Udhayakumar

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
Crime No. 162/2023.

... Respondent/Complainant

For Petitioner : M/s.Karuna.V,
Advocate.

For Respondent : Mr.R,M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 162 of 2023 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioner / sole accused who was arrested and remanded to
judicial custody on 02.04.2023 for the offences under sections 4(1)
(a) and 4(1-A) of TNP Act in Crime No.162 of 2023 on the file of the
respondent police seeks bail.

2. The case of the prosecution is that the petitioner was
found in illegal possession of 14 number of tasmac (Each containing
180 ml) liquor bottles, hence the case..

3. Heard both sides and perused the materials available on
record including the First Information Report.

4. Taking into consideration of the facts and submissions made
by the learned counsels and also the period of incarceration this
court is inclined to grant bail to the petitioner , subject to the
following conditions:



[a] 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 No.II, Thanjavur and on further conditions that:

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[b] 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.

[c] the petitioner shall report before the respondent police daily at 10.30 A.M. for a period of two weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

sd/-

20/04/2023

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20/04/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV
TO

1 THE JUDICIAL MAGISTRATE NO.II
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
THANJAVUR TALUK POLICE STATION,
THANJAVUR DISTRICT.



4 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.KARUNA.V, Advocate (SR-6200[I] dated 20/04/2023)

ORDER
IN
CRL OP (MD) No.7355 of 2023
Date :20/04/2023

SS/VR/SAR /20/04/2023/3P/7C