



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 24/05/2023
PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD) . No.9400 of 2023

Suresh

... Petitioner/Sole Accused

Vs

State represented by
The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
In Cr.No.264/2023.

... Respondent/Complainant

For Petitioner : M/s.C.Suresh Kannan
Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.264/2023 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 14.05.2023 for the offences under sections 4(1)(a) & 4(1-A), 4(1)(i) of Tamil Nadu Prohibition Act in Crime No.264 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner was in illegal custody of 8 liquor bottles without valid permit. Hence the complaint.

3. Heard both sides. 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 considering the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:



5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.II, Kumbakonam, 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 his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

[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 is 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.

sd/-

24/05/2023

/ TRUE COPY /

24/05/2023

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

PNN
TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
KUMBAKONAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
SUB JAIL, KUMBAKONAM.



4 THE INSPECTOR OF POLICE,
KUMBAKONAM TALUK POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to M/S.SURESH KANNAN.C Advocate SR.No.7803 (I)
Dt.24/05/2023

ORDER

IN

CRL OP(MD) No.9400 of 2023
Date :24/05/2023

SA/24.05.2023/3P/7C