



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 07.06.2023

PRESENT

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

CRL OP(MD)No.9887 of 2023

Anbu

... Petitioner/Sole Accused

Vs

State Represented by
The Inspector of Police,
Budalur Police Station,
Thanjavur District.
(In Crime No.65 of 2023)

... Respondent/Complainant

For Petitioner : Mr.S.Prabha, 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.65 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 16.05.2023 for the offence under section 4(1) (a), 4(1-A) of the Tamil Nadu Prohibition Act in Crime No.65 of 2023 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the respondent police while on patrolling duty on 25.02.2023, in Balakudi to Ayanapapuram, traced a person nearby shop, who came in two wheeler bearing Reg.No.TN AF 8039. Further, the respondent police found in that place 148 bottles of liquor, which is manufactured in Pondicherry. 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 above facts and circumstances and also the period of incarceration, this court is inclined to grant bail to the petitioner subject to the following

<https://www.mhctn.gov.in/judis>



[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, Thiruvaiyaru and on further conditions that:

[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 deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as non refundable deposit by way of Demand Draft/RTGS/NEFT to the RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431, and shall produce the receipt before the concerned Magistrate at the time of executing the bond.

[d] the petitioner shall report before the respondent police daily at 10.30 am., for a period of three weeks and thereafter, as and when required.

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

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

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

[h] 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].

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

sd/-

07/06/2023

/ TRUE COPY /

07/06/2023

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



TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 3 THE INSPECTOR OF POLICE, BUDALUR POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE, DISTRICT JAIL, PUDUKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER INCHARGE,
RAY OF LIGHT FOUNDATION,
NO.10, NAGESWARA ROAD,
NUNGAMBAKKAM, CHENNAI,
TAMILNADU 600034.

+1 CC to M/s.S.PRABHA, Advocate (SR-8247[I] dated 07/06/2023)

ORDER

IN

CRL OP(MD) No.9887 of 2023

Date :07/06/2023

RS/SSS/SAR-(07.06.2023) 3P 8C