



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 13.06.2023
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD)No.10325 of 2023

Chinnan

... Petitioner/Sole Accused

Vs

State rep by
The Inspector of Police,
Mayiladumparai Police Station,
Theni District.
(In Crime No.60 of 2023)

... Respondent/Complainant

For Petitioner : Mr.S.VIKRAM, Advocate

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

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

PRAYER :- For Bail in Crime No.60 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 29.05.2023 for the offences punishable under Sections 294(b), 353, 506(ii) IPC and Section 4(1)(g) of TNP Act in Crime No.60 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 29.05.2023, at about 12.00 hours, when the defacto complainant along with other police officials went to patrol duty nearby Kannimar Oothu Odai, at Pandaraoothu. At that time, they found that the petitioner was preparing intoxicating liquid. When the police officials investigated about the same, the petitioner abused them in filthy language. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.



4.The learned Additional Public Prosecutor would submit at the petitioner is not having any previous cases.

5.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 29.05.2023 and that the petitioner is not having any previous cases, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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 the Judicial Magistrate Court, Aundipatty, Theni District.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]**.

(vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

13/06/2023

/ TRUE COPY /

13/06/2023

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

GNS
TO

1 THE JUDICIAL MAGISTRATE,
AUNDIPATTY, THENI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, THENI.

4 THE INSPECTOR OF POLICE,
MAYILADUMPARAI POLICE STATION,
THENI DISTRICT.

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

+1. CC to M/S.VIKRAM S Advocate SR.No.8572

ORDER

IN

CRL OP(MD) No.10325 of 2023

Date :13/06/2023

SA/VR/SAR. /13.06.2023/3P/7C