



WEB COPY

CRL OP(MD). N



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/06/2023

PRESENT

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

CRL OP(MD). No.10467 of 2023

Pappa

... Petitioner/Petitioner/Accused No.1

Vs

State Rep.by
The Sub Inspector of Police,
Thirukokarnam Police Station,
Pudukkottai District.
(Crime No.151/2023)

... Respondent/Complainant

For Petitioner : M/s.Antony Arulraj T,
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. 151 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner / A1 who was arrested and remanded to judicial custody on 02.06.2023 for the offences under sections 4(1)(a) r/w. section 4(1-A) of TNP Act in Crime No.151 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 14 number of tasmac (Each containing 180 ml) brandy bottles, hence the case.

3. Heard. Perused the materials available on record including the First Information Report. It is reported that 41 previous cases are pending against the petitioner.

4. Taking into consideration 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:



5. Accordingly, the petitioner is ordered to be released on her executing 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 learned Judicial Magistrate No.II, Pudukottai 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.

[b] the petitioner shall make a non refundable deposit for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only) to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172),** without prejudice to her rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties. After coming out from prison within two days the petitioner shall also file an undertaking affidavit before the respondent police that she will not indulge in similar type of activities again and if the petitioner violates the said undertaking the respondent is at liberty to secure the petitioner and proceed in accordance with law.

[c] the petitioner shall stay at Karur and report before the Karur Town Police Station daily at 10.30 a.m., and 5.30 pm., for a period of four weeks and thereafter before the respondent police daily at 10.30 a.m, until further orders

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

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

[f] 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].

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

sd/-

14/06/2023

/ TRUE COPY /

14/06/2023

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

AAV



TO

1 THE JUDICIAL MAGISTRATE NO.II, PUDUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.

3 THE OFFICER INCHARGE, SPECIAL PRISON FOR WOMEN, TRICHY.

4 THE SUB INSPECTOR OF POLICE, THIRUKOKARNAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

COPY TO

1 THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND (CMPRF),
GOVERNMENT OF TAMILNADU, SECRETARIAT,
CHENNAI - 9.

2 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION, KARUR.

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate (SR-8658[I] dated
14/06/2023)

ORDER

IN

CRL OP(MD) No.10467 of 2023

Date :14/06/2023

RS/VR/SAR-(14.06.2023) 3P 9C