



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/07/2023
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12285 of 2023

Arumugam

... Petitioner/Accused 1

Vs

The State rep.by
The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
Crime No.341 of 2023.

... Respondent/Complainant

For Petitioner : M/s.VISHNU J, Advocate
For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.341 of 2023 on the file of the Respondent Police.

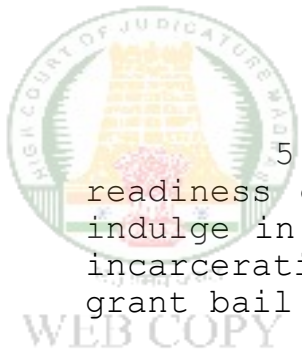
ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 16.06.2023 for the alleged offence under Sections 4(1)(a) r/w 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.341 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 16.06.2023, the accused was found in illegal possession of 10 Nos of 180 ml liquor bottles without valid permit. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is also ready to file an undertaking that he will not commit any similar offence in future. The petitioner is in custody from 16.06.2023. Hence, prays for bail.

4.The learned Additional Public Prosecutor (Crl.Side) submitted that the petitioner is having five previous cases, which are similar in nature and the petitioner has illegally found in possession of arrack without valid permit. Hence, prays to dismiss the petition.



5. Considering the facts and circumstances of the case, the readiness of the petitioner to file an affidavit that he will not indulge in any offence in future and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with stringent conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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.I, Kumbakonam**, on further condition that the petitioner shall also file an undertaking affidavit before the trial Court that he will not indulge in any offence in future and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

17/07/2023

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17/07/2023

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

PNM

TO

1 THE JUDICIAL MAGISTRATE NO.I, KUMBAKONAM.

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

3 THE OFFICER INCHARGE,
SUB PRISON, KUMBAKONAM, THANJAVUR DISTRICT.

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

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

ORDER IN

CRL OP(MD) No.12285 of 2023
Date :17/07/2023

SA/AKM/SAR. /17.07.2023/2P/6C