



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 10/07/2023

WEB COPY

PRESENT

**The Hon'ble Mr.Justice G.ILANGO VAN**

CRL OP(MD). No.12115 of 2023

1.Ramakrishnan  
2.Ramamoorthy  
3.Rajkumar

... Petitioners/Accused Nos.1 to 3

Vs.

State through  
The Inspector of Police,  
Pattukkottai - PEW Police Station,  
Thanjavur District.  
Crime No.469 of 2023.

... Respondent/Complainant

For Petitioners : Mr.D.R.Murugesan, 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.469 of 2023 on the file of the Respondent Police.

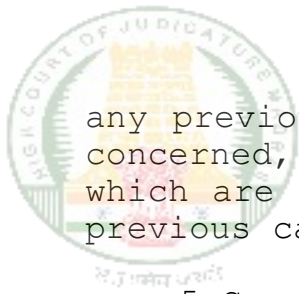
ORDER : The Court made the following order :-

The petitioners/ Accused Nos. 1 to 3, who were arrested on 22.06.2023 for the alleged offence under Sections 4(1)(a), 4(1)(i), 4(1)(k) r/w. 4(1-A) of TNP Act, in Crime No.469 of 2023 on the file of the respondent Police, seeks bail.

2.The prosecution case is that the petitioners were found in illegal possession of 10 brandy bottles and the same was recovered by the respondent Police. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody from 22.06.2023.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the first petitioner is not having



any previous cases. So far as the second and third petitioners are concerned, the second petitioner is having five previous cases, which are similar in nature and the third petitioner is having four previous cases, out of which, two cases were disposed of.

5. Considering the facts and circumstances of this case and since the second and third petitioners are the habitual offenders, this Court is not inclined to grant bail to the second and third accused. So far as the first petitioner is concerned, considering that he is not having any previous cases and the duration of custody, this Court is inclined to grant bail to the first petitioner only with certain conditions;

6. Accordingly, this Criminal Original Petition is partly allowed and only the first 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 District Munsif Cum Judicial Magistrate, Peravurani, Thanjavur District, and on further condition that the 1<sup>st</sup> petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders. In respect of the petitioners No.2 and 3, this Criminal Original Petition is dismissed.

sd/-

10/07/2023

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10/07/2023

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

Indu

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
PERAVURANI, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE, PATTUKOTTAI - PEW POLICE STATION,  
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE, DISTRICT PRISON, THANJAVUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN  
CRL OP(MD) No.12115 of 2023  
Date :10/07/2023