



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2023

PRESENT

The Hon'ble Mr. Justice G. ILANGO VAN

CRL OP(MD). No.12996 of 2023

Ramamoorthy

... Petitioner/Accused No.2

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 petitioner/ 2nd Accused, who was 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 petitioner was 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 petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 22.06.2023.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner is having five previous cases, which are similar in nature.



5. Considering the facts and circumstances of this and considering the period of incarceration, this Court is inclined to grant bail to the petitioner only with certain 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 District Munsif Cum Judicial Magistrate, Peravurani, Thanjavur District, 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. If any case is registered against the petitioner in future, the bail that has been granted in this case, will stand automatically cancelled without reference to this Court.

sd/-

18/07/2023

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18/07/2023

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.12996 of 2023

Date :18/07/2023

RS/VR/SAR-(18.07.2023) 2P 6C