



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.12801 of 2023

Prabhu

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
Crime No.160 of 2023.

... Respondent/Complainant

For Petitioner : M/s.M.Prabu, 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.160 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 27.06.2023 for the alleged offence under Sections 4(1)(a), 4(1-A) Tamil Nadu Prohibition Act, in Crime No.160 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was in illegal possession of Black Pearl-180ml TASMAL Brandy Bottles -10 Nos. 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 27.06.2023. Hence, prays for bail.

4.The learned Additional Public Prosecutor would submit that the petitioner is having 2 previous cases and out of which one case



is in similar nature of this case.

5. Considering the period of incarceration, this Court is inclined to grant relief to the petitioner.

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, Thiruvaiyaru**, 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/-

18/07/2023

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18/07/2023

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

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To

- 1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE, THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE, SUB JAIL, THANJAVUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE PRINCIPAL SESSIONS JUDGE,
THANJAVUR.

+1 CC to M/s.M.PRABU, Advocate (SR-10860[I] dated 18/07/2023)

ORDER

IN

CRL OP(MD) No.12801 of 2023

Date :18/07/2023

RS/VR/SAR-(18.07.2023) 2P 8C

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