



CRL OP(MD). No.14618 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14618 of 2023

Selvam

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
(Crime No.729 of 2023).

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran, Advocate

For Respondent : Mr.B.Nambiselvam,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.729 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 30.07.2023 for the



CRL OP(MD). No.14618 of 2023

alleged offence under Sections 4(1)(a) r/w. 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.729 of 2023, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that on 30.07.2023, on secret information received by the defacto complainant, he conducted the raid immediately at Paakulam, Kannithoppu, at that time, the petitioner was found in illegal possession of 90 liquor bottles and the same was recovered from the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. The petitioner is in custody from 30.07.2023 and he is ready to file an undertaking affidavit that he will not indulge in similar kind of activities in future. Hence, prays to release him on bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is having eight previous cases, which are in similar nature.

5.Considering the facts and circumstances of the case, though the petitioner is having previous cases, considering the fact that he is ready to file an



CRL OP(MD). No.14618 of 2023

WEB COPY

undertaking affidavit 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, Papanasam, on further condition that the petitioner shall 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/-
10/08/2023

/ TRUE COPY /

10/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU



CRL OP(MD). No.14618 of 2023

TO

1.THE JUDICIAL MAGISTRATE, PAPANASAM,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

3.THE OFFICER INCHARGE, SUB JAIL, THANJAVUR.

4.THE INSPECTOR OF POLICE,
AMMAPETTAI POLICE STATION, THANJAVUR DISTRICT.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-12104[I] dated 10/08/2023)

ORDER

IN

CRL OP(MD) No.14618 of 2023

Date :10/08/2023

RK (09/08/2023) 4P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023