



CRL OP(MD). No.14909 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14909 of 2023

L.Mathan

... Petitioner/ Accused Rank No.2

Vs

The State rep.by,
The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
(Crime No.737 of 2023).

... Respondent/ Complainant

For Petitioner : M/s.Dhilipan Pandian.R.L,
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.737 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/ Accused herein, who was arrested on 03.08.2023 for the alleged offence under Sections 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.737 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 03.08.2023, the accused was found in illegal possession 114 Nos of 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. He further submitted that the petitioner is in custody from 03.08.2023. Hence, prays for bail.

4.The learned Additional Public Prosecutor (Crl.Side) appearing for the respondent police submitted that the petitioner is having eight previous cases and all the cases he admitted guilty and also paid the fine amount. However, the petitioner



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has illegally found in possession of 114 liquor bottles 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 Court, Papanasam, Thanjavur District and on further conditions that

I(i) the petitioner shall also file an undertaking affidavit before the trial Court that he will not indulge in any offence in future.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

(iii) the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Account Number (A/c.No.7567821433, Indian Bank, High



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Court.

sd/-
16/08/2023

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16/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.THE JUDICIAL MAGISTRATE, PAPANASAM, THANJAVUR DISTRICT

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

3.THE INSPECTOR OF POLICE,
AMMAPET POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER IN CHARGE,
SUB JAIL, KUMBAKONAM.
THANJAVUR,
THANJAVUR DISTRICT.



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

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1.THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER
IN
CRL OP(MD) No.14909 of 2023
Date :16/08/2023

RK (16/08/2023) 5P /8 C

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