



WEB COPY



Crl.O.P.No.322 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.322 of 2024

Muthulingam

... Petitioner

Vs.

The State represented by
The Sub Inspector of Police,
Indur Police Station,
Dharmapuri District.
Crime No.189 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.189 of 2023 on the file
of the respondent Police.

For Petitioner : M/s.R.Saritha

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody
on 12.12.2023 for the offences registered under Sections 4(1)(a) r/w 4(1-A)



Crl.O.P.No.322 of 2024

of TNP Act, in Crime No.189 of 2023 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 25 bottles of liquor (each bottle contains 180ml).

3.The learned Government Advocate (crl.side) stated that there are three previous cases of similar in nature against the petitioner.

4.Taking all the factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on bail on condition to execute a 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 No.II, Dharmapuri, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.



CrI.O.P.No.322 of 2024

WEB COPY

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

09.01.2024

vkr

To

- 1.The Judicial Magistrate No.II, Dharmapuri.
- 2.The District Jail, Dharmapuri.
- 3.The Sub Inspector of Police,
Indur Police Station,
Dharmapuri District.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.No.322 of 2024

C.V.KARTHIKEYAN,J.

Vkr

Crl.O.P.No.322 of 2024

09.01.2024