



CrI.O.P.No.636 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

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

CrI.O.P.No.636 of 2024

Mariyappan S/o. Mani

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
Tiruvannamalai PEW Police Station,

(Crime No.288 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.288 of 2023 on the file of
the respondent.

For Petitioner : Mr.D.Balaji

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



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ORDER

The petitioner seeks bail in Crime No.288 of 2023, registered by the respondent police for the offences punishable under Section 4(1)(aaa) r/w 4(1-A)ii of TNP Act and Sections 6 & 7 of T.N.R.S Rule, 2000. The petitioner had been remanded to custody on 29.12.2023 with respect to an occurrence which took place on 15.03.2023.

2.It is stated that there are totally 21 accused and they had been charged with illegal possession of 4325 lites of ID arrack. Most of the accused had been granted either bail or anticipatory bail. Taking that factor into consideration and the fact that the petitioner had been implicated only on the basis of the confession of A1 and that there is no recovery from this petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

3.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, Tiruvannamalai & District, and on further conditions that: -



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[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 deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of the Dean, Government General Hospital, Tiruvannamalai, for treatment of needy patients.

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

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

[f] 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].

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

12.01.2024

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C.V.KARTHIKEYAN, J.
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To

- 1.The Judicial Magistrate No.II, Tiruvannamalai & District.
- 2.The Inspector of Police,
Tiruvannamalai PEW Police Station.
- 3.Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.

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