



CrI.O.P.No.1090 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

CORAM

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

CrI.O.P.No.1090 of 2024

Parimala W/o. Sankar

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
PEW-Polur Police Station,
Tiruvannamalai District.

(Crime No.829 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.829 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Ms.S.Nishanthi

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



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ORDER

The petitioner seeks bail in Crime No.829 of 2023, registered by the respondent for the offences under Sections 4(1)(aa) r/w 4(1-A)ii of TNP Act.

2.The petitioner had been remanded to custody on 31.12.2023 with possession of 65 litres of ID arrack.

3.The main objection raised by the learned Government Advocate (CrI. Side) for the respondent is that there were 15 previous cases against the petitioner herein out of which, two are still pending and five of which, charge sheet has been filed but not taken on file.

4.Taking all the factors into consideration and the period of incarceration, I am inclined to grant bail 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 Judicial Magistrate, Polur, 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 not abscond either during investigation or trial.

[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.

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate, Polur.
2. The Special Prison for Women, Vellore.
3. The Inspector of Police,
PEW-Polur Police Station,
Tiruvannamalai District.
4. The Public Prosecutor,
High Court of Madras.

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