



Crl.O.P.No.1451 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

CORAM

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

Crl.O.P.No.1451 of 2024

1.Dhanasekar
2.Kishorekumar

...Petitioners/Accused

Vs.

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

(Crime No.689 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.689 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioners : Mr.R.Sasikumar

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



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ORDER

The petitioners/A5 and A6 in Crime No.689 of 2023, registered for the offences under Sections 4(1)(aaa) r/w 4(1-A)ii of TNP Act and Sections 6 & 7 of R.S Rules, 2000, seek bail.

2.It is stated that A1 to A4 had been remanded to custody on 05.01.2023 with possession of 3500 litres of ID arrack.

3.It is stated that these petitioners had been detained under Tamil Nadu Act 14 of 1982 but subsequently, the detention order had been set aside by the Hon'ble Division Bench of this Court.

4.The learned counsel for the petitioners stated that A1 to A4 were arrested and thereafter, on their confession, these petitioners were arrested.

5.A counter affidavit has been filed giving the list of previous



cases as against the petitioner herein.

6.It is seen that there are five previous cases against each of the petitioners herein but however, it is stated by the respondent that investigation has been completed and final report has also been filed before the Judicial Magistrate, Arni.

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

8.Accordingly, the petitioners are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.I, Madhurantakam, 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.



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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.
ata

To

1. The Judicial Magistrate No.I, Madhurantakam.
2. The Central Prison, Puzhal.
- 3.The Inspector of Police,
PEW Polur Police Station,
Thiruvannamalai District.
- 4.The Public Prosecutor,
High Court of Madras.

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