



Crl.O.P.No.2443 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2024

CORAM

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

Crl.O.P.No.2443 of 2024

Siva

...Petitioner/Accused-4

Vs.

State represented by
The Inspector of Police,
P-5, MKB Nagar Police Station,
Chennai District.

(Crime No.471 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.471 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.N.Arunkumar

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



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ORDER

The petitioner/A4 in Crime No.471 of 2023, registered for the offence under Section 4(1)(a) r/w 4(1-A) of TNP Act, seeks bail. The petitioner had been remanded to custody on 23.01.2024 with respect to an occurrence which took place on 20.11.2023.

2.It is stated that there were five accused. They were found in possession of 10 bottles (each bottle containing 180 ml) of TASMAL liquor. It is stated that A1, A2 and A3 had been granted bail by the learned Principal Sessions Judge and A5 had been granted anticipatory bail by this Court in Crl.O.P.No.1633 of 2024 by order dated 01.02.2024.

3.Taking all the factors into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

4.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 X Metropolitan Magistrate Court, Egmore, and on further conditions that: -

[a] the sureties shall affix their photographs and Left Thumb



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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.

06.02.2024

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C.V.KARTHIKEYAN. J.



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To



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1. The X Metropolitan Magistrate Court, Egmore.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
P-5, MKB Nagar Police Station,
Chennai District.
4. The Public Prosecutor,
High Court of Madras.

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