



Crl.O.P.No.3701 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

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

Crl.O.P.No.3701 of 2024

1. Vimala

2. Akash

...Petitioners

Vs.

State represented by
The Inspector of Police,
P-3, Vyasarpadi Police Station,
Chennai-600 005.
(Crime No.31 of 2024)

...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.31 of
2024 on the file of the respondent police on such terms and conditions.

For Petitioners : Ms.M.P. Banupriya

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



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ORDER

The petitioners seek bail in Crime No.31 of 2024, registered by the respondent for the offences under Sections 4(1)(a) 4(1-A) of TNP Act. The petitioners have been remanded to judicial custody on 26.01.2024.

2.It is stated that the petitioners were in possession of 250 bottles of Tasmac Brandy without valid licence.

3. The learned Government Advocate(crl side) submitted that there is one previous case against the first petitioner and three previous cases against the second petitioner.

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

5.Accordingly, the petitioners are ordered to be released on bail on condition to execute a 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 **learned X Metropolitan Magistrate Court at Egmore, Chennai**, 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[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.

26.02.2024

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C.V.KARTHIKEYAN. J.

smn

To

1. The X Metropolitan Magistrate Court at Egmore, Chennai.
2. The Inspector of Police,
P-3, Vyasarpadi Police Station,
Chennai-600 005.(Crime No.31 of 2024)
3. The Central Prison, women Special Jail, Puzhal
4. The Central Prison, Puzhal-II
- 5.The Public Prosecutor,
High Court of Madras.

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