



Crl.O.P.No.3465 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

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

Crl.O.P.No.3465 of 2024

Suresh @ Pokala Sureshkumar

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Polur P.E.W Police Station,
Tiruvannamalai District.

(Crime No.689 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.689 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.E.Sathiyaraj

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



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ORDER

The petitioner/A7 seeks bail in Crime No.689 of 2023, registered by the respondent police for the offences under Section 4(1)(aaa) r/w 4(1-A)(ii) of TNP Act r/w Sections 6 and 7 of RS Rules, 2000. The petitioner had been remanded to judicial custody on 05.01.2024.

2.It is stated that the petitioner and the other accused were found in possession of 3500 litres of ID arrack.

3.It is stated that A5 and A6 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.A counter affidavit has been filed giving the list of previous cases as against the petitioner herein.

5.It is seen that there are five previous cases against the petitioner herein but however, it is stated by the respondent that investigation has



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been completed and final report has also been filed before the Judicial Magistrate, Arni.

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

7.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, Arni, Tiruvannamalai District, 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 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



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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.

15.02.2024

ata

C.V.KARTHIKEYAN. J.

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To



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1. The Judicial Magistrate, Arni, Tiruvannamalai District.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
Polur P.E.W Police Station,
Tiruvannamalai District.
4. The Public Prosecutor,
High Court of Madras.

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