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Crl.O.P.No.3797 of 2024

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.3797 of 2024

Ramachandiran

... Petitioner

+Vs.

State represented by
Inspector of Police,
Prohibition Enforcement Wing,
Vaniyambodi,
Thirupathur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.55 of 2024 on the file of
the respondent Police.

For petitioner : Mr.M. Sathish kumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 23.01.2024 for the offences registered under Sections 4(1) (aaa) 4(1-



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A)(ii) of Tamil Nadu Prohibition Act in Crime No.55 of 2024, on the file of the respondent Police, seeks bail.

2.It is stated that the petitioner was found in possession of 164.16 liters of I.D Arrack.

3.The learned counsel for the petitioner pointed out the period of incarceration suffered by the petitioner,

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

5.Accordingly, the petitioner is ordered to be released on bail on condition to execute a 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 **learned Judicial Magistrate No.II, Thirupathur** 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.**



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[c] the petitioner shall make a non-refundable deposit of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the Dean, Government Hospital, Thirupathur District for treatment of needy patients.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] 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 **Judicial Magistrate No.II, Thirupathur District**

2. Inspector of Police,
Prohibition Enforcement Wing,
Vaniyambodi,
Thirupathur District.

3.The Central Prison, Vellore

4. The Public Prosecutor, High Court of Madras.

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