



CrI.O.P.No.4800 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM

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

CrI.O.P.No.4800 of 2024

Gurmeet SinghSasan @ Harmithsingh

...petitioner

Vs.

State represented by
The Inspector of Police,
Polur PEW 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 in Crime No.689 of 2023 on the file of the respondent Police.

For petitioner : Mr.Swami Subramanian

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioner who was arrested and remanded to judicial custody by executing PT warrant on 05.01.2024 for the offences registered by the



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respondent Police under Sections 4(1)(aaa) r/w 4(1-A)(ii) of TNP Act r/w Sections 6 and 7 of Tamil Nadu Rectified Sprit Rules, 2000, in Crime No.689 of 2023, seeks bail.

2.The case of the prosecution is that the respondent had intercepted a black colour Audi car without number plate and found 3 white cans each containing 35 litres of illicit arrack. It is stated that they were travelling as an escort to a TATA mini lorry.

3.The learned counsel for the petitioner filed a memo stating that the son of the petitioner is prepared to stand as surety to him.

4.Taking all other surrounding factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, (out of which, one must be the son of the petitioner and the same must be tested by the learned Magistrate concerned) each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Mathuranthagam** and on further



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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 am., until further orders.

[c] the memo which is filed before this Court, may also be filed before the trial Court.

[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.

[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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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C.V.KARTHIKEYAN. J.

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To

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

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