



Crl.O.P.No.5299 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

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

Crl.O.P.No.5299 of 2024

Vijaya

...petitioner

Vs.

State represented by
The Inspector of Police,
PEW Anna Nagar Police Station,
Chennai.
Crime No.29 of 2024

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.29 of 2024 on the file of the respondent Police.

For petitioner : Mr.R.Ajith Kumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 25.01.2024 for the offences registered by the respondent Police under Sections 4(1)(aaa) of TNP Act in Crime No.29 of 2024, seeks bail.



2.The case of the prosecution is that the petitioner was found in illegal possession of 672 bottles of brandy which equalled to 120 litres of arrack.

3.The learned Government Advocate (crl.side) stated that there are 12 previous cases against the petitioner, out of which, the petitioner had been convicted in 6 cases. It is also stated that the investigation has been completed and final report had also been filed through e-filing.

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 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 V Metropolitan Magistrate, Egmore, Chennai 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.



Crl.O.P.No.5299 of 2024

[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.

6.The learned Principal Sessions Judge, Chennai had stated in the order in Crl.M.P.No.5707 of 2024 that there is possibility of the petitioner indulging in similar offence. That is a strong possibility. But however, let the District Legal Services Authority, reach out to the petitioner namely, Vijaya, W/o.Ramachandran, No.71B, Main Street, Rajeev Gandhi Nagar, Perambur Barracks, Chennai 12, who is the



Crl.O.P.No.5299 of 2024

WEB COPY

accused in Crime No.29 of 2024 registered by the PEW Anna Nagar Police Station, Chennai and if possible, utilize any para legal volunteer to assist the said petitioner to find out whether she is addicted to liquor or is habitually selling the same owing to poverty. Steps may be taken to rehabilitate the petitioner if it is possible.

05.03.2024

vkr

To

1. The V Metropolitan Magistrate, Egmore, Chennai.
2. The Central Prison (Women), Puzhal, Chennai.
3. The Inspector of Police,
PEW Anna Nagar Police Station,
Chennai.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.No.5299 of 2024

C.V.KARTHIKEYAN. J.

vkr

Crl.O.P.No.5299 of 2024

05.03.2024