



Crl.O.P.No.5403 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.5403 of 2024

Athilakshmi

...Petitioner

Vs.

The State represented by
Inspector of Police,
Polur P.E.W Police Station,
Tiruvannamalai District(Crime No.107 of 2024)

...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.107 of
2024 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)



WEB COPY



Crl.O.P.No.5403 of 2024

ORDER

The petitioner seeks bail in Crime No.107 of 2024, registered by the respondent for the offences under Sections 4(1)(a) r/w 4(1-A)(ii) of Tamil Nadu Prohibition Act. The petitioner had been remanded to judicial custody on 23.02.2024.

2. It is stated that the petitioner was in possession of 15 liters of I.D. arrack. There are 6 previous cases pending against the petitioner.

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

4. 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 learned **Judicial Magistrate, Polur, Tiruvannamalai District** and on further conditions that: -

[a] the sureties shall affix their photographs and Left Thumb



Crl.O.P.No.5403 of 2024

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 on every Monday, every Wednesday and on every Friday 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.

05.03.2024

smn



WEB COPY



Crl.O.P.No.5403 of 2024

C.V.KARTHIKEYAN. J.

smn

To

1. The **Judicial Magistrate, Polur, Tiruvannamalai District**

2. The Inspector of Police,

Polur P.E.W. Police Station,

Tiruvannamalai District(Crime No.107 of 2024)

3. The Women Central Prison, Vellore

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.5403 of 2024

05.03.2024