



Crl.O.P.No.5458 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM

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

Crl.O.P.No.5458 of 2024

Gowri

...Petitioner

Vs.

State represented by
The Inspector of Police,
Polur PEW Police Station,
Tiruvannamalai District.
Crime No.96 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.96 of 2024 on the file of the respondent Police.

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

ORDER

The petitioner who was surrendered to judicial custody on 17.02.2024 for the offences registered by the respondent Police under



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Sections 4(1)(a) r/w 4(1-A)ii of TNP Act, in Crime No.96 of 2024 seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 15 litres of ID arrack.

3.The learned Government Advocate (crl.side) raised objections stating that there are 17 previous cases against the petitioner.

4.Taking all the factors into consideration and the period of incarceration into consideration, 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 Judicial Magistrate, Polur, Tiruvannamalai 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 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.

06.03.2024

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To

1. The Judicial Magistrate, Polur, Tiruvannamalai District.
2. The Women 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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C.V.KARTHIKEYAN. J.

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