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Crl.O.P.No.5679 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2024

CORAM

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

Crl.O.P.No.5679 of 2024

Velmurugan

... Petitioner

Vs.

State represented by
Inspector of Police,
Brammadesam Police Station,
Villupuram District.
(Crime No.111 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.111 of 2024 on the file of
the respondent.

For Petitioner : Mr.N.Desinghu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 04.02.2024 for the offences registered by the respondent Police under
Sections 4(1)(A) ad 4(1)(a) of TNP Act, in Crime No.111 of 2024, seeks bail.



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2.The case of the prosecution is that the petitioner was found illegal possession of 5 litres of ID arrack and 15 number of brandy bottles.

3.The learned Government Advocate (crl.side) raised objections stating that there are 5 previous cases against the petitioner.

4.Taking all the factors into consideration and the period of incarceration, 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 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 No.II, Tindivanam 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., for a period of two weeks and thereafter, as and when required for interrogation.

[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.



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[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.

12.03.2024

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To

- 1.The Judicial Magistrate No.II, Tindivanam.
2. The Inspector of Police,
Brammadesam Police Station,
Villupuram District.
- 3.The Sub Jail, Tindivanam.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN,J.

Vkr

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