



WEB COPY



Crl.O.P.No.6375 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

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

Crl.O.P.No.6375 of 2024

Laksmipathi

... Petitioner

Vs.

State represented by
Inspector of Police,
PEW Polur Police Station,
Thiruvannamalai District.
Crime No.208 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.208 of 2023 on the file
of the respondent.

For Petitioner : Mr.R.Sasikumar

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 under Sections 4(1)(aaa), 4(1-A)ii



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of TNP Act, r/w Sections 6 and 7 of RS Rules, 2000 in Crime No.208 of 2023 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were in possession of 220 litres of ID Arrack and 35 litres of rectified spirit.

3.The earlier application seeking bail in Crl.O.P.No.4167 of 2024 had been dismissed this Court on 26.02.2024.

4.It is however stated that all the accused had been subsequently granted bail. It is also stated that the investigation has been completed and final report had also been filed through e-filing.

5.Taking that factor into consideration and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

6.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 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



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Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioner shall report before the respondent police on 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.

14.03.2024

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To

- 1.The Judicial Magistrate, Polur.
2. The Inspector of Police,
PEW Polur Police Station, Thiruvannamalai District.
- 3.The Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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