



Crl.O.P.No.6189 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

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

Crl.O.P.No.6189 of 2024

1. Venkatesan

2. Thirthagiri

..Petitioners

Vs.

State represented by
The Inspector of Police,
PEW Attur,
Salem District.
(Crime No.216 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.216 of 2024 on the file of the respondent police.

For Petitioners : Mr.D. Balaji

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 17.02.2024 for the offences registered by the respondent Police under Sections 4(1)(aaa) 4(1-A) of TNP Act, in Crime No.216 of 2024 on the file of the respondent, seek bail.

2.The case of the prosecution is that the petitioners along with other accused were found in illegal possession of 600 litres of ID arrack.

3.Taking into consideration all other factors and the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

5.Accordingly, the petitioners are ordered to be released on bail on condition to execute 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 No.2, Attur, Salem District**, 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.



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[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c]the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

27.03.2024

smn

To

- 1.The **Judicial Magistrate No.2, Attur, Salem District.**
2. The Central Prison, Salem.
- 3.The Inspector of Police, PEW Attur,
Salem District.(Crime No.216 of 2024)
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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