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Crl.O.P.No.7697 of 2024

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.7697 of 2024

Jaya

... Petitioner

Vs.

State Rep by Inspector of Police,
Kilpennathur Police Station,
Thiruvannamalai District.
Crime No. 96 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.96 of 2024 on the file of
the respondent.

For Petitioner : Mr.R. Balakrishnan

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 03.03.2024 for the offences registered by the respondent Police under
Sections 4(1)(aaa) r/w 4(1-A)ii of TNP Act in Crime No.96 of 2024, seeks
bail.



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2.It is stated that the petitioner was in possession of 124 liters of I.D arrack. Hence the complaint.

3.The learned Government Advocate appearing for the respondent submitted that there are 12 previous cases pending against the petitioner. However the facts of this case should looked in a isolated manner.

4.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 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, Thiruvannamalai** 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 petitioner shall report before the respondent police 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.

27.03.2024

smn

To

1.The **Judicial Magistrate No. II, Thiruvannamalai**

2. Inspector of Police,
Kilpennathur Police Station, Thiruvannamalai District.

3.The Special Prison for women, Vellore.

4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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