



Crl.O.P.No.7779 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024
CORAM

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

Crl.O.P.No.7779 of 2024

Samu

..Petitioner

Vs.

State represented by
The Inspector of Police,
Gudiyatham Town Police Station,
Gudiyatham, Vellore District
(Crime No.193 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.193 of 2024 on the file of the respondent police.

For Petitioner : Mr.G. Vinodhkumar

For Respondent : Mr.L.Baskaran
Govt. 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) and 4(1-A)(ii) of TNP Act, in Crime No.193 of 2024, seeks bail.



Crl.O.P.No.7779 of 2024

2.It is stated that the petitioner transported 120 litres of I.D arrack. Hence the complaint.

3. The learned Government Advocate submitted that there are 12 previous cases pending against the petitioner.

4.Taking into consideration all other factors and the period of incarceration, 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 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. Gudiyatham** 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



CrI.O.P.No.7779 of 2024

ensure their identity.

[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.

28.03.2024

smn



WEB COPY



Crl.O.P.No.7779 of 2024

C.V.KARTHIKEYAN. J.

smn

To

- 1.The **Judicial Magistrate. Gudiyatham.**
2. The Central Prison, Vellore
- 3.The Inspector of Police,
Gudiyatham Town Police Station,
Gudiyatham, Vellore District
(Crime No.193 of 2024).
- 4.The Public Prosecutor, High Court of Madras.

Crl.O.P.No.7779 of 2024

28.03.2024