



Crl.O.P.No.7912 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.7912 of 2024

Rajesh Kanna

... Petitioner

+Vs.

The State represented by
The Inspector of Police,
Pernampet Police Station,
Vellore District,
(Crime No. 102 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.102 of 2024 on the file
of the respondent Police.

For petitioner : Mr.D. Anandan

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 28.02.2024 for the offences registered under Sections 4(i) (a) 4(1-A)(ii)
of Tamil Nadu Prohibition Act in Crime No.102 of 2024, on the file of the
respondent Police, seeks bail.

2.It is stated that the petitioner was found in possession of 10 liters



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of I.D Arrack.

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3.The learned Government Advocate appearing for the Respondent submitted that there was two previous cases pending against the petitioner.

4.Taking all the factors into consideration and also considering the period of incarceration undergone by the petitioner, 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 separate 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, Gudiyatham, Vellore 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.

[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



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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

To

- 1.The **Judicial Magistrate, Gudiyatham, Vellore District**
2. The Inspector of Police,
Pernampet Police Station,
Vellore District,(Crime No. 102 of 2024)
- 3.The Gudiyatham, Sub-Jail, Vellore District
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN,J.

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