



Crl.O.P.No.11279 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Crl.O.P.No.11279 of 2024

V. Akalya

...Petitioner

Vs.

State of Tamil Nadu,
represented by The Inspector of Police,
P.6 Kodungaiyur Police Station,
Law and Order
Chennai

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.226 of 2024 on the file of the respondent Police.

For petitioner : Mr. B. Kalaiarasan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)



CrI.O.P.No.11279 of 2024

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.04.2024 for the offences registered by the respondent Police under Sections 328 of I.P.C and Sections 4(1-A),4(1)(aa) of Tamil Nadu Prohibition Act, and Section 24(1) of COTPA Act 2003 in Crime No.226 of 2024, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 470 liquor bottles and 12 kgs of banned tobacco products. Hence the complaint.

3.The learned Government Advocate (crl.side) stated that there is no previous case against the petitioner.

4.Taking all the factors into consideration and the period of incarceration and also of the fact that there is no previous case against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



CrI.O.P.No.11279 of 2024

WEB COPY

5. Accordingly, the petitioner is ordered to be released on bail on executing 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 **X Metropolitan Magistrate at Egmore, Chennai** 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., and 5:30 p.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].



CrI.O.P.No.11279 of 2024

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

09.05.2024

smn

To

1. The **X Metropolitan Magistrate at Egmore, Chennai**
2. The Central Puzhal Prison
3. The Inspector of Police,
P.6 Kodungaiyur Police Station,
Law and Order
Chennai
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.No.11279 of 2024

K. KUMARESH BABU. J.

smn

Crl.O.P.No.11279 of 2024

09.05.2024