



Crl.O.P.No.11833 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2024

CORAM

THE HON'BLE MR. JUSTICE S. SOUNTHAR

Crl.O.P.No.11833 of 2024

1.Ramesh
2.K.Mani

...Petitioners

Vs.

State represented by
The Sub Inspector of Police,
Thanipadi Police Station,
Thanipadi, Thandampattu Taluk,
Thiruvannamalai District.
(Crime No.180 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.180 of 2024 on the file of the respondent Police.

For Petitioners : Mr.M.Sounderrajan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER



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The petitioners who were arrested and remanded to judicial custody on 02.05.2024 for the offences registered by the respondent Police under Sections 4(1)(aa) and 4(1-A)ii of TNP Act in Crime No.180 of 2024, seek bail.

2.The case of the prosecution is that the petitioners were found in illegal possession of 55 litres of ID arrack.

3.The learned counsel for the petitioners stated that the petitioners are innocent persons and they have been falsely implicated in this case. He also stated that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and they are in judicial custody from 02.05.2024. Hence, they pray for grant of bail.

4.The learned Government Advocate (crl.side) stated that there is no previous case against the petitioners. However, he opposed for grant of bail to the petitioners.

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



6. Accordingly, the petitioners are ordered to be released on bail on executing 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, Thandarampattu, Thiruvannamalai 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 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



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can be registered under Section 229A IPC.

29.05.2024

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To

1. The Judicial Magistrate, Thandampattu, Thiruvannamalai District.
2. The Sub Jail, Thiruvannamalai.
3. The Sub Inspector of Police,
Thanipadi Police Station,
Thanipadi, Thandampattu Taluk,
Thiruvannamalai District.
4. The Public Prosecutor, High Court of Madras.

S. SOUNTHAR, J.

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