



CrI.O.P.No.12921 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.05.2024

CORAM

THE HON'BLE MR. JUSTICE S. SOUNTHAR

CrI.O.P.No.12921 of 2024

Rani

...petitioner

Vs.

State represented by
The Inspector of Police,
Vaniyambadi Taluk Police Station,
Vaniyambadi, Thirupathur District.
(Crime No.199 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.199 of 2024 on the file of the respondent Police.

For petitioner : Mr.G.Vinodhkumar

For Respondent : Ms.A.Shahana Fathima
Government Advocate (CrI. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 07.05.2024 for the offences registered by the respondent Police under



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Sections 4(1)(a) and 4(1-A)ii of TNP Act in Crime No.199 of 2024, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 25 litres of ID arrack.

3.Learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He also submitted that the petitioner is in custody from 07.05.2024 and she is ready to abide by any stringent conditions that may be imposed by this Court. He further submitted that the petitioner, without prejudice her rights, on her own volition, is ready and willing to contribute some amount to any Government organisation as may be directed by this Court and he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is involved in illegal possession of 25 litres of ID arrack and there are 35 previous cases against the petitioner. Hence, she opposed for grant of bail to the petitioner.



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5. Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of **Chief Justice Relief Fund, Madras High Court, Chennai** without prejudice to her rights and contentions before the trial Court.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** to the credit of the **Chief Justice Relief Fund, Madras High Court, Chennai** as non refundable deposit and on such deposit and production of proof, the petitioner is ordered to be released on bail on executing 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, Vaniyambadi**, 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



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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.

30.05.2024

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To

1. The Judicial Magistrate, Vaniyambadi.
2. The Special Prison for Women, Vellore.
3. The Inspector of Police,
Vaniyambadi Taluk Police Station,
Vaniyambadi, Thirupathur District.
4. The Public Prosecutor, High Court of Madras.



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S. SOUNTHAR, J.

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