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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.22058 of 2024

Dharanikumar

... Petitioner

Vs.

State Rep by.
The Inspector of Police
Police Station, Kilvelur,
Nagapattinam District.
Crime No. 306 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in crime No. 306 of 2024 on the file
of the respondent police.

For Petitioner : Mr.C.R.Gokulvisvas
For Respondent : Mr.S.Balaji,
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.06.2024 for the alleged offences punishable under Section 4(1)(i), 4(1)(aaa), r/w 4 (1-A) of TNP Act **in crime No. 306 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused persons while selling illicit arrack and found 110 litres of Illicit Arrack. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is undergone kidney transplant surgery since the petitioner's both kidney was failure to that effect he produced the medical report of the petitioner given by the Thanjavur Medical College & Hopital, Thanjavur. Further, he submits that Court has revoked the detention order passed against the petitioner under Goodas Act on the above ground. On the other side, the learned Government Advocate (Crl. side) admits and stated that he verified the same through the respondent police.

4. Considering the health condition of the petitioner, this Court is



inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Keevalur**, 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 as and when required for interrogation;

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

06.09.2024

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T.V.THAMILSELVI,J.



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To

1. The Judicial Magistrate, Keevalur.

2. The Inspector of Police
Police Station, Kilvelur,
Nagapattinam District.

3. The Central Jail, Trichy.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No. 22058 of 2024

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