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CRL O.P. No.23814 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.09.2024

CORAM

The Hon`ble Mr.Justice P.DHANABAL

CRL OP.No.23814 of 2024

Tamilarasi W/o. Seenuvasan

... Petitioner /Accused

Vs

State rep. by:-

The Inspector of Police,
PEW Villupuram,
Villupuram District.
[Cr. No.1176 of 2024]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to grant bail to the petitioner/Accused in Crime No.1176 of 2024 on the file of the respondent police.

For Petitioner : Mr. G. Magesh Kumar

For Respondent : Mr. S. Vinoth Kumar

Government Advocate (Criminal side)

ORDER

The petitioner/Accused, who was arrested and remanded to judicial custody on 07.08.2024 for the offences punishable under Section 4(1)(A), 4(1)(h) of Tamil Nadu Prohibition (Amendment) Act, 2024 in



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Cr. No.1176 of 2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 07.08.2024, the petitioner was found in possession of 54 bottles of liquor belonging to Puducherry without license. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner has been falsely implicated in this case for statistical purpose, that she is no way connected the commission of offences and she is ready to abide by any condition imposed by this Court. Hence, the petitioner may be released on bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner was found in illegal possession of 54 bottles of liquor belonging to Puducherry without license and the same was seized and there is ten previous cases against the petitioner. Hence he objected to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering



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the nature of offences, considering the fact that the materials were seized and also considering the period of incarceration of the petitioner from 07.08.2024, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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, Vikkiravandi** and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.00 a.m. for a period of 30 days and thereafter as and when required for interrogation.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or



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trial;
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[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

25.09.2024

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
mjs

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To

- 1.The Judicial Magistrate, Vikkiravandi
- 2.The Public Prosecutor, Madras High Court, Chennai.
- 3.The Inspector of Police, PEW Villupuram, Villupuram District.
4. The Special Prison for Women, Cuddalore.

P.DHANABAL,J
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