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CrI.O.P.No.27565 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.27565 of 2024

J.Gopinath

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Ranipet Police Station,
Ranipet District.

(Crime No.399 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS Act,
pleased to enlarge the petitioner on bail, in connection with the Crime No.399
of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Paulgnanamuthu

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

ORDER

This Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 13.09.2024, seeking bail in Crime No.399 of 2024 registered for the offence under Section 4(1)(A) of the Tamil Nadu Prohibition (Amendment) Act.



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2. The case of the prosecution is that based on the secret information, the respondent and his team conducted a search near the Ranipet Jupiter petrol bunk, where, they found that the accused/petitioner was in illegal possession of 14 bottles of Monitor 3D Gold Rum (each 180ml). Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in custody from 13.09.2024, hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner/accused was found to be in illegal possession of 14 bottles of Monitor 3D Gold Rum (each 180ml). He further submitted that 61 previous cases are pending against the petitioner, hence, he opposed for granting bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that out of 61 previous cases as stated by the prosecution, only 24 cases are



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now pending against the petitioner. He further submitted that the petitioner is also ready to abide by any other stringent conditions that may be imposed by this Court.

6. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also taking note of the fact that the petitioner is in custody from 13.09.2024, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate Court, Ranipet**, 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



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Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent 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 269 B.N.S.

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To

1. The Judicial Magistrate,
Ranipet.
2. The Inspector of Police,
Ranipet Police Station,
Ranipet District.
3. The Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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