



Crl.O.P.No.28200 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2024

CORAM

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

Crl.O.P.No.28200 of 2024

Kannammal

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thiruchengode PEW,
Namakkal District.
(Crime No.563 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.563 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Nagarajan

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

ORDER

This Criminal Original Petition has been filed by the petitioner/A2, who was arrested and remanded to judicial custody on 28.10.2024 seeking bail in Crime No.563 of 2024 registered for the offences under Sections 4(1)(C), 4(1-A)(ii) and 14(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024.



Crl.O.P.No.28200 of 2024

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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, where, they found that the accused were illegally transporting 12 litres of illicit arrack in their car. Hence the case.

3. Learned counsel appearing 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 28.10.2024 and she is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner/A2 along with the first accused was found to be in illegal possession of 12 litres of illicit arrack. He further submitted that there is no previous case against the petitioner.



CrI.O.P.No.28200 of 2024

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

6. Taking into consideration the above facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering that there is no previous case against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Thiruchengode, Namakkal 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 petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of



CrI.O.P.No.28200 of 2024

**two weeks and thereafter, on every Saturday 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 of B.N.S.

20.11.2024

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CrI.O.P.No.28200 of 2024

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To

1. The Judicial Magistrate,
Thiruchengode,
Namakkal District.
2. The Inspector of Police,
Thiruchengode PEW,
Namakkal District.
3. The Superintendent,
Central Prison for Women,
Salem.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.28200 of 2024

A.D.JAGADISH CHANDIRA.,J.

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Crl.O.P.No.28200 of 2024

20.11.2024

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