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Crl.O.P.No.28314 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.28314 of 2023

1.Sathish
2.Jeevanantham

... Petitioners

Vs.

The State represented by
The Inspector of Police,
PEW Krishnagiri Police Station,
Krishnagiri District.
(Crime No.949 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioners on bail in Crime No.949 of 2023 on the file
of the respondent.

For Petitioners : Mr.R.Thirumoorthy

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 09.11.2023, registered for the offences under Sections 4(1)(aaa)



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r/w 4(1-A) of TNP Act, in Crime No.949 of 2023 on the file of the respondent Police, seek bail.

2.It is stated that the petitioners were found in possession of 172 litres and 800 ml of liquor worth about Rs.63,424/- from the State of Karnataka.

3.The learned Government Advocate stated that there is no previous case against the petitioners. A3 is still absconding.

4.But however, taking all these factors into consideration and considering the period of incarceration, I am inclined to grant bail to the petitioners subject to the following conditions:

5.Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate 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 No.II, Krishnagiri, 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.



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[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

02.01.2024

vkr

To

1.The Judicial Magistrate No.II, Krishnagiri.

2.The Inspector of Police,
PEW Krishnagiri Police Station,
Krishnagiri District.

3.The District Jail, Dharmapuri.

4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN, J.

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