



WEB COPY



CrI.O.P.No.31195 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM

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

CrI.O.P.No.31195 of 2024

Aravindhan

... Petitioner

Vs.

The State represented by,
The Sub-Inspector of Police,
PEW Vellore Police Station,
Vellore District.
(Crime No.595 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.595 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.R.Thangavel

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

ORDER

Petition seeking bail in respect of Crime No.595 of 2024 registered for the offences punishable under Sections 4(1)(A), 4(1)(B) and 4(1)(C) of the Tamil Nadu Prohibition (Amendment) Act, 2024, is on board for consideration.



CrI.O.P.No.31195 of 2024

WEB COPY

2. The incarceration of the petitioner being from 16.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.5,000/- to any welfare scheme of the Government or any other organization. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused was found to be in illegal possession of 27 bottles (each 180ml) of TASMAC liquor arrack with an intention to sell the same to the public illegally in higher price. He further submits that the charge sheet has been filed in this case before the learned Judicial Magistrate No.I, Vellore and it is yet to be taken on file. He also submits that 33 previous cases are pending against the petitioner.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of "**Charu Home for Aged, Account Number : 2771201000291, IFSC Code : CNRB0002771, Canara Bank, Mahila Br.,**



CrI.O.P.No.31195 of 2024

T.Nagar Chennai - 17", without prejudice to the right of defence before the trial Court and making it clear that it would not amount to admission of guilt.

5. Further, having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering that the charge sheet has been filed in this case, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his 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 No.I, Vellore**, 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 appear before the learned **Judicial Magistrate No.I, Vellore on all working days at 10.30 a.m., and thereafter, on the dates fixed by the learned Magistrate;**

[c] the petitioner shall not abscond during trial;

[d] the petitioner shall not tamper with evidence or witness during trial;

A.D.JAGADISH CHANDIRA.,J.



WEB COPY



Crl.O.P.No.31195 of 2024

ham

[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.

17.12.2024

ham

To

1. The Judicial Magistrate No.I,
Vellore.
2. The Sub-Inspector of Police,
PEW Vellore Police Station,
Vellore District.
3. The Superintendent,
Central Prison, Thorapadi,
Vellore.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.31195 of 2024