



CRL OP(MD).No.5133 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5133 of 2024

Kolanchirajan @ Kulanchi

... Petitioner/Sole Accused

Versus

The State Rep. by
The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.
(Crime No.107 of 2024)

... Respondent/Complainant

For Petitioner : Mr.R.Ilayaraja
Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.107 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime



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No.107 of 2024 for the offence under Sections 4(1)(a), 4(1)(i), 4(1)(k), 4(1-A) and 24 of

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Tamil Nadu Prohibition Act and remanded him into judicial custody on 19.03.2024.

Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 18 bottles of liquor (180 ml – each bottle).

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 19.03.2024. He further submits that the petitioner, in order to show his bona fide, has donated some books to a School in his village and has also filed an undertaking affidavit before this Court that he will not indulge in any other offence in future.

4. The learned Additional Public Prosecutor appearing for the respondent Police opposes for grant of bail on the ground that the investigation is yet to be completed.



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5. Considering the period of incarceration and also considering the submission that the petitioner has donated some books to a School in his village and also filed an undertaking affidavit before this Court that he will not indulge in any other offence in future, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvudaimaruthur.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

iii) The petitioner shall report before the respondent Police once in a week of every Monday at 10.30 am., until further orders. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.



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v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
17/04/2024

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17/04/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
PANTHANALLUR POLICE STATION, THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,
SUB JAIL, THIRUVIDAIMARUTHUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-4538[I] dated 17/04/2024)



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ORDER
IN
CRL OP(MD) No.5133 of 2024
Date :17/04/2024

SS/SAR- /17/04/2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023