



CRL OP(MD). No.6407 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6407 of 2024

Madhiyazhagan,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Budalur Police Station,
Thanjavur District.
Crime No. 146 of 2024.

... Respondent/Complainant

For Petitioner : Mr.G.KARNAN,
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.146 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 14.04.2024 for the alleged offence under Sections 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.146 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.6407 of 2024

possession of 74 numbers of liquor bottles.

WEB COPY

3.The learned counsel for the petitioner submits that the petitioner has never committed any offence as alleged by the prosecution and he is languishing in jail for the past 11 days.

4.The learned Additional Public Prosecutor appearing for the respondent has strongly objected for grant of bail that the petitioner was found in illegal possession of 74 numbers of liquor bottles. He fairly conceded that no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and there is no bad antecedent as against the petitioner and also considering the period of incarceration, 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 on the following conditions:-

i) The petitioner shall execute 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, Thiruvaiyaru, Thanjavur District.

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



CRL OP(MD). No.6407 of 2024

proof of their residence address;

WEB COPY

iii) The petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation. 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. The petitioner shall be available for the trial as well.

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/-
25/04/2024

/ TRUE COPY /

25/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO
1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.



CRL OP(MD). No.6407 of 2024

3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR.

4 THE INSPECTOR OF POLICE,
BUDALUR POLICE STATION,
THANJAVUR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.G.KARNAN, Advocate (SR-4887[I] dated 25/04/2024)

ORDER IN
CRL OP(MD) No.6407 of 2024
Date :25/04/2024

SA/SAR. /25.04.2024/4P/7C

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