



CRL OP(MD).No.6667 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Prasath

2. Pasupathi

... Petitioners/ Accused nos.1 and 2

Versus

The State:

Rep. by the Inspector of Police,
Melattur Police Station,
Thanjavur District.
(Crime No.163/2024)

... Respondent/Complainant

For Petitioners : M/s.D.Saranya,
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.163 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioners in Crime



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No.163 of 2024 for the offence under Sections 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition Act and remanded them into judicial custody on 16.04.2024. Therefore, the petitioners have filed this petition seeking bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 34 liquor bottles (180 ml. each bottle).

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they are languishing in Jail from 16.04.2024. Hence, she prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the investigation is yet to be completed. However, he fairly submits that the petitioners are not having any previous case.

5. Considering the nature of offence, the period of incarceration and also considering the fact that the petitioners are not having any previous case, this Court is inclined to grant bail to the petitioners.

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



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i) on the petitioners executing a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand)each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thanjavur.

ii) The petitioners 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 petitioners shall appear before the respondent police as and when required for interrogation. They have to co-operate for the investigation.

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

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

sd/-
30/04/2024

/ TRUE COPY /

30/04/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY



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TO

1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.

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

3 THE INSPECTOR OF POLICE
MELATTUR POLICE STATION, THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

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

ORDER
IN

CRL OP(MD) No.6667 of 2024

Date :30/04/2024

SS/SAR- /30/04/2024/4P/6C

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