



CRL OP(MD).No.8543 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 14.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.8543 of 2024

Muniyandi

... Petitioner / Accused No.1

Versus

The State Rep. by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.
(Crime No.415 of 2024)

... Respondent / Complainant

For Petitioner : Mr.K.S.Durai Pandian, 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.415 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 No.415 of 2024 for the offence under Section 4(1-A) of Tamil Nadu Prohibition Act



CRL OP(MD).No.8543 of 2024

and remanded him into judicial custody on 18.05.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner was found in possession of 25 brandy bottles (180 ML. each bottle).

3. The learned counsel appearing 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 18.05.2024.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the petitioner is having 13 previous cases.

5. Considering the nature of offence and also considering the antecedent of the petitioner, this Court was not inclined to grant bail to the petitioner.

6. At this juncture, the learned counsel appearing for the petitioner submits that the petitioner has realized his mistake and he undertakes that he will not indulge in any offence in future. To that effect, the petitioner is also prepared to file an undertaking affidavit before the respondent Police and also before the concerned Judicial Magistrate at the time of furnishing the sureties. Apart from that, the petitioner has also contributed a sum of Rs.50,000/- (Rupees fifty thousand only) to the credit of the Chief Educational Officer, Sivagangai District, for the purpose of



CRL OP(MD).No.8543 of 2024

providing any amenities, like, drinking water facility, toilet facility or smart class room, to any one of the Government School in Sivagangai District.

WEB COPY

7. Considering the undertaking given by the petitioner that he will not indulge in any offence in future and also considering the change of petitioner's attitude, this Court is inclined to grant bail to the petitioner.

8. 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 No.I, Sivagangai.

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 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 file an undertaking affidavit before the respondent Police as well as before the concerned Magistrate that he



CRL OP(MD).No.8543 of 2024

will not indulge in any offence in future.

WEB COPY

v) 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.

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

sd/-
14/06/2024

/ TRUE COPY /

14/06/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

To

1.The Judicial Magistrate No.I,
Sivagangai.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.



CRL OP(MD).No.8543 of 2024

4.The Superintendent,
Central Prison, Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.S.DURAIPANDIAN, Advocate (SR-6523[I] dated 14/06/2024)

ORDER
IN
CRL OP(MD) No.8543 of 2024
Date :14/06/2024

ED/ /SAR- (14/06/2024) 5P / 7C

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