



CRL OP(MD). No.11044 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.11044 of 2024

Vigneshwaran,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District.
Crime No. 489/2024.

... Respondent/Complainant

For Petitioner : Mr.P.Veerapandi,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSs U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 489 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody



CRL OP(MD). No.11044 of 2024

on 21.06.2024 for the offences punishable under Sections 4(1)(a) & 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.489 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 possession of 10 numbers of TASMAC liquor bottles worth about Rs.1,300/-. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that no previous case is pending against the petitioner and the petitioner is in judicial custody from 21.06.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed. However, he fairly conceded that no previous case is pending against the petitioner.

5.Considering the the period of incarceration and also considering the fact that no bad antecedent is reported against the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.



CRL OP(MD). No.11044 of 2024

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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.2, Kumbakonam, Thanjavur District.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) 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;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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].



CRL OP(MD). No.11044 of 2024

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vi) If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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22/07/2024

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22/07/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

- 1 THE JUDICIAL MAGISTRATE NO.2
KUMBAKONAM, THANJAVUR DISTRICT.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 - 3 THE OFFICER INCHARGE,
SUB JAIL, KUMBAKONAM, THANJAVUR DISTRICT..
 - 4 THE INSPECTOR OF POLICE
NACHIYARKOIL POLICE STATION, THANJAVUR DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.P.VEERAPANDI, Advocate (SR-8229[I] dated 22/07/2024)



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CRL OP(MD). No.11044 of 2024

ORDER
IN
CRL OP(MD) No.11044 of 2024
Date :22/07/2024

SS/SAR- /22/07/2024/5P/7C

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