



CRL OP(MD). No.11041 of 2024

WEB COPY 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.11041 of 2024

Mariyammal,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Naducavery Police Station,
Thanjavur District.
Crime No. 325/2024.

... Respondent/Complainant

For Petitioner : Mr.K. M.Karunakaran,
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. 325 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



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on 30.06.2024 for the offences punishable under Sections 4(1)(a) r/w 4(1-A) of Tamilnadu Prohibition Act, in Crime No.325 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 20 numbers of liquor bottles worth about Rs.2,500/-. 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 the petitioner is in judicial custody from 30.06.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed and the petitioner is having 35 previous cases in similar nature. Hence, he vehemently, opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.



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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 learned Judicial Magistrate, Thiruvaiyarui.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/concerned Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[ii] the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Headmistress, Panchayat Union Primary School, Madurai East (Account No.10111536270, IFSC Code: SBIN0002246, State Bank of India, Othakadai Branch, Madurai), without prejudice to his rights and contentions before the trial Court;

(iii)The petitioner shall report before the respondent police daily at 10.30 a.m, until further orders;

[iv] the petitioner shall not tamper with evidence or witness;

[v] the petitioner shall not abscond during trial.

[vi] On breach of any of the aforesaid conditions, the learned Judicial



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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].

[vii] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/07/2024

/ TRUE COPY /

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

DSS

TO

- 1 THE JUDICIAL MAGISTRATE
THIRUVAIYARU.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, TRICHY
- 4 THE INSPECTOR OF POLICE
NADUCAUVERY POLICE STATION, THANJAVUR DISTRICT.



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

COPY TO:
THE HEADMISTRESS,
PANCHAYAT UNION PRIMARY SCHOOL,
MADURAI EAST

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-8248[I] dated 22/07/2024)

ORDER
IN
CRL OP(MD) No.11041 of 2024
Date :22/07/2024

SS/SAR- /22/07/2024/5P/8C

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