



CRL OP(MD). No.11101 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.11101 of 2024

Raja,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
Crime No. 212/2024..

... Respondent/Complainant

For Petitioner : Mr.K.Suyambulinga Bharathi,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor(crl.side)

PETITION FOR BAIL Under Sec.483 of BNSS / Section 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 212 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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



CRL OP(MD). No.11101 of 2024

26.06.2024 for the offences punishable under Sections 4(1)(a) and 4(1-A) of the Tamil Nadu Prohibition Act in crime No.212 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein has illegally found in possession of 23 bottles of liquor each contains 180 ml worth about Rs.45,000/- and the same has been recovered. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 26.06.2024, hence, they may be granted bail.

4.The learned Additional Public Prosecutor would submit that the property has been recovered and the petitioner is having 23 previous cases in similar nature and hence, he strongly opposed to grant bail to the petitioner.

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



CRL OP(MD). No.11101 of 2024

WEB COPY

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, Pattukkottai and on further conditions that;

(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 pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the Regional Cancer Centre, Government Rajaji Hospital, Madurai, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the concerned Court while executing the sureties;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

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



CRL OP(MD). No.11101 of 2024

WEB COPY

(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].

vi)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.

TRP

TO

1 THE JUDICIAL MAGISTRATE
PATTUKKOTTAI



CRL OP(MD). No.11101 of 2024

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

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

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

COPY TO:

THE OFFICER INCHARGE,
REGIONAL CANCER CENTRE,
GOVERNMENT RAJAJI HOSPITAL, MADURAI

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-8296[I] dated
22/07/2024)

ORDER
IN

CRL OP(MD) No.11101 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