



CRL OP(MD). No.11238 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

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

CRL OP(MD). No.11238 of 2024

Pandi,

... Petitioner/Sole Accused

Vs

**The Inspector of Police,
Vembakottai Police Station,
Virudhunagar District.
Crime No.163 of 2024.**

... Respondent/Complainant

For Petitioner : Mr.A.Manikandan, Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 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 petitioner/ Accused, who was arrested and remanded to judicial custody on



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07.07.2024 for the offences punishable under Section 4 (1-A) of Tamil Nadu Prohibition Act, in crime No.163 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was illegal possession of 18 numbers of 180 ml liquor bottles without labels. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and he is in judicial custody from 07.07.2024 and hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public prosecutor would submit that the petitioner is having 36 previous cases and the investigation is almost completed and 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, this Court is inclined to grant bail to the petitioner on certain conditions.

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 No.II, Sivakasi, Virudhunagar District.

(i)the sureties shall affix their photographs and left thumb impression in the



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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., until further orders;

(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] and

(vi)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
23/07/2024

/ TRUE COPY /

23/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS



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TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.II
SIVAKASI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
VEMBAKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, VIRUDHUNAGAR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.MANIKANDAN, Advocate (SR-8398[I] dated 23/07/2024)

ORDER
IN

CRL OP(MD) No.11238 of 2024

Date :23/07/2024

PKP/23.07.2024/ 4P/ 7C

Madurai Bench of Madras High Court is issuing certified
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