



CRL OP(MD). No.11399 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/07/2024

PRESENT

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

CRL OP(MD). No.11399 of 2024

1. Rajendiran

2. Rani

... Petitioner/ Accused No.1 & 2

Vs

The Inspector of Police,
PEW Kumbakonam,
Thanjavur District,
Crime No.615/2024.

... Respondent/Complainant

For Petitioners : M/s.S.Gurumoorthy, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No.615/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on 16.07.2024 for the offences punishable under Sections 4(1)(a) and 4 (1)(A) of the Tamil Nadu Prohibition Act, in crime No.615 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners were found in illegal possession of 20 numbers of 180 ml brandy bottles. Hence, the complaint.



CRL OP(MD). No.11399 of 2024

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3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as mentioned in the FIR and they are in judicial custody from 16.07.2024 and hence they may be granted bail.

4.The learned Additional Public Prosecutor would submit that the petitioners were found in illegal possession of 20 numbers of 180 ml brandy bottles, worth about Rs.2,800/- and they are not having any previous case and the investigation is pending and hence, he strongly opposed for grant of bail.

5.Considering the period of incarceration and also the fact that the petitioners are not having any previous case, this Court is inclined to grant bail to the petitioners on certain conditions.

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

(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 petitioners 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;



CRL OP(MD). No.11399 of 2024

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

(iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
24/07/2024

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24/07/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1 THE JUDICIAL MAGISTRATE NO.2, KUMBAKONAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, PEW KUMBAKONAM,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, KUMBAKONAM.



CRL OP(MD). No.11399 of 2024

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

+1 CC TO MR.S.GURUMOORTHY, ADVOCATE, SR-8541[I] DATED 25/07/2024

ORDER

IN

CRL OP(MD) No.11399 of 2024

Date :24/07/2024

RS//SAR-(24.07.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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