



CRL OP(MD). No.11466 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.11466 of 2024

Baskar,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Medical College Police Station,
Thanjavur District.
Cr.No.186/2024.

... Respondent/Complainant

For Petitioner : Mr.M.P.Senthil,
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.186 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

<https://www.mhc.tn.gov.in/judis>



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30.05.2024 for the offences punishable under under Sections 4(1)(a), 4(1-A), 4(1)(i) of
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Tamil Nadu Prohibition Act and 24(1) Cigarette and other Tobacco Products Acts,
2003, 77 of the juvenile justice (Care and Protection of Children) Act, 2015, in Crime
No.186 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 191 numbers of liquor bottles (each bottle contains 180 ml) and banned Tobacco products viz., Coolip 12 packets worth about Rs.30,950/- and the sale amount of Rs.690/-. The same were recovered from the petitioner. 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. He would further submit that the petitioner is in judicial custody from 30.05.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that totally three accused and the petitioner is arrayed as A1 and he is having 24 previous cases. A2 and A3 in this case were already obtained anticipatory bail and the investigation is



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still pending. Hence, he strongly opposed to grant bail.

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5. Considering the facts and circumstances of the case and also considering the period of incarceration and co-accused were already obtained anticipatory bail, 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, Thanjavur.

(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., until further orders;

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



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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].

sd/-
25/07/2024

/ TRUE COPY /

25/07/2024
Sub-Assistant Registrar (CS-I/ II/ III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE JUDICIAL MAGISTRATE NO.II, THANJAVUR
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION,
THANJAVUR DISTRICT.



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4 THE OFFICER IN CHARGE,
SUB JAIL THANJAVUR.

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

ORDER
IN
CRL OP(MD) No.11466 of 2024
Date :25/07/2024

SI (26/07/2024) 5P / 6C

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