



CRL OP(MD). No.15275 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15275 of 2024

D.Karthikeyan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Vallam Police Station,
Thanjavur District,
Crime No.420/2024.

... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.420/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on 01.09.2024 for the offence punishable under Sections 4(1)(C) & 4(1)(A) of Tamil Nadu Prohibition (Amendment) Act. 2024 and Section 318(4) and 340 of BNS, in Crime No.420 of 2024 on the file of the respondent police, seek bail.



CRL OP(MD). No.15275 of 2024

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2.The case of the prosecution is that the petitioner is in illegal possession of 26 bottles of liquor and cash amount of Rs.2,680/-. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the fact that the petitioner is alleged to have been in possession of 26 bottles of liquor, on allegations that the seals were opened and then he was contemplating to sell by mixing it with other powders, so as to enhance the alcohol percentage and considering the fact that not even samples are sent for testing and also considering the fact that the petitioner is in judicial custody from 01.09.2024, I am inclined to enlarge the petitioner on bail with certain conditions.

5.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, Thanjavur District.

(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 is directed to deposit a sum of Rs.3,000/- (Rupees Three Thousand only) to the credit of Court Penalty Fund, the Dean, Government Rajaji



CRL OP(MD). No.15275 of 2024

Hospital, Madurai, (Account No. 7097546149, IFSC Code: IDIB000T003, MICR Code: 525019008, Indian Bank, Tallakulam, Madurai, without prejudice to his rights and contentions before the trial Court. Only upon deposit, the petitioner shall be enlarged on bail;

(ii)The petitioners 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;

(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/-
11/09/2024

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11/09/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.15275 of 2024

JBR
TO
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1 THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR, THANJAVUR DISTRICT.

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

3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR, THANJAVUR DISTRICT.

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

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

COPY TO:

THE DEAN,
GOVERNMENT RAJAJI HOSPITAL,
MADURAI.



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CRL OP(MD). No.15275 of 2024

ORDER

IN

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Date :11/09/2024

SA/SAR. /11.09.2024/5P/7C

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