



CRL OP(MD). No.17565 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17565 of 2024

Jayakumar,

... Petitioner/ Accused No.8

Vs

**The State of Tamil Nadu,
Rep by the Inspector of Police,
Kumbakonam Pew Police Station,
Thanjavur District.
Crime No.675 of 2024.**

... Respondent/ Complainant

For Petitioner : M/s. K. M.Karunakaran, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

To enlarge the petitioner on bail in connection with the Cr.No.675 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A8, who was arrested and remanded to judicial custody on 27.08.2024 for the offences punishable under Sections 4(1)(aaa), 4(1-A)(ii), 4(1)(i) of TNP Act & Section 318(4), 340 of BNS & Section 4(1)(A) of TNP Amendment Act, 2024, in Crime No.675 of 2024 on the file of the respondent police, seeks bail.

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



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2.The case of the prosecution is that the petitioner and the other accused were found in possession of 120 litre of Pondicherry arrack. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the petitioner is said to have been illegal possession of liquor, which is purchased from Union Territory of Pondicherry and also considering the fact that the petitioner is in custody from 27.08.2024, this Court is inclined to grant bail to the petitioner on 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-I, 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) As per the undertaking given by the petitioner, the petitioner is directed to deposit a sum of Rs.8,000/- (Rupees Eight Thousand only) to the credit of Government Rajaji Hospital, Madurai, (Account No.7097546149, IFSC Code: IDIB000T003, MICR Code; 525019008, Indian Bank, Madurai), for conducting Alcohol

Awareness Campaign without prejudice to his rights and contentions before the trial
<https://www.mhc.tn.gov.in/judis>



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Court;
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(iii) 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;

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

v) the petitioner shall not abscond during trial.

vi) 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].

vii) If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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17 /10 /2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS



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TO
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- 1 THE JUDICIAL MAGISTRATE
NOI KUMBAKONAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE,
KUMBAKONAM PEW POLICE STATION,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE DEAN
GOVERNMENT RAJAJI HOSPITAL,
MADURAI

ORDER
IN
CRL OP(MD) No.17565 of 2024
Date :17/10/2024

PSP/ /SAR /17.10.2024/ 4P/ 7C

Madurai Bench of Madras High Court is issuing certified
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