



CRL OP(MD). No.19003 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/11/2024

PRESENT

The Hon`ble Mr.Justice **N.ANAND VENKATESH**

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Velraj

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Prohibition Enforcement Wing-Tenkasi,
Tenkasi District.
Cr.No.606 of 2024.

... Respondent/ Complainant

For Petitioner : M/s.Balan.P, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.606 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on



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10.09.2024 for the offences under Sections 4(1)(aaa), 4(1)(A), 4(1-A)(ii), 14(A) of Tamil Nadu Prohibition Act, 2024 and Sections 318(4), 336(3) and 336(4) of BNS (hereinafter referred to as new penal code) in Crime No.606 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were found in illegal possession of 300 bottles of liquor each containing 750ml. They had managed to get it couriered from Bangalore as if they are transporting chemical from Bangalore. They sold the same to the general public stating as if it is military quota liquor.

3. Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.

4. In the instant case, there are four accused persons. The petitioner is arrayed as A3. The fact remains that liquor bottles have already been seized by the respondent police and they are only awaiting for the chemical analysis report.

5. Taking into consideration the facts and circumstances of the case and there are no previous antecedents against the petitioner and also of the fact that this



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petitioner has already suffered incarceration from 10.09.2024 onwards, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered 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, Sankarankovil**, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police every Monday and Friday at 10.30 a.m until further orders except on the days when the case is posted for hearing before the trial Court.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.



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[f] 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
04/11/2024

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04/11/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

- 1 THE JUDICIAL MAGISTRATE
SANKARANKOVIL.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE OFFICER INCHARGE,
SUB JAIL, SANKARANKOVIL.



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4 THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING-TENKASI,
TENKASI DISTRICT.

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

+1 CC to M/s.P.BALAN, Advocate (SR-13576[I] dated 04/11/2024)

ORDER
IN
CRL OP(MD) No.19003 of 2024
Date :04/11/2024

SS/SAR- /05/11/2024/ 5P/7C

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