



CRL OP(MD). No.20347 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Mangalam,

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Represented by,
The Inspector of Police,
Prohibition Enforcement Wing,
Sivagangai,
Sivagangai District.
(Crime No.212 of 2024)

... Respondents/ Complainant

For Petitioner : Mr.J.Jeevin,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.212/2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioner / Accused No.4, who was arrested and remanded to judicial custody on 30.03.2024 for the alleged offence under Sections 4(1)(aa), 4(1-A) of the Tamilnadu Prohibition Act, Sections 468, 471 and 420 of IPC and also Sections 5,6 and 8 of the Tamilnadu Rectified Spirit Rules, 2000, in Crime No.212 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 possession of 5400 bottles of liquor and 3010 liters of rectified spirit. They had also affixed bogus labels as if excise duty has been paid. There are totally 4 accused persons in this case and the petitioner has been arrayed as A4.

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

4. The learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that the investigation has been completed and the police report was filed before the learned Judicial Magistrate, Singampunari and the same has been taken



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on file in P.R.C. No. 5 of 2024. He further submitted that the chemical analysis shows that there is presence of Atropine and the rectified spirit also contained Methanol. He further submitted that there are no previous cases against the petitioner.

5. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and the petitioner has suffered incarceration from 30.03.2024. He further submitted that the petitioner was detained under Act 14 of 1982 and the same was put to challenge before this Court in H.C.P. (MD). No. 939 of 2024 and the detention order was quashed by order dated 19.11.2024.

6. Taking into consideration the facts and circumstances of the case and considering the submissions made on either side and also considering the fact that the petitioner has suffered incarceration from 30.03.2024 and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each



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for a like sum to the satisfaction of the learned Judicial Magistrate, Singampunari, Sivagangai District, and on further conditions that:-

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[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 learned Judicial Magistrate, Singampunari, Sivagangai District daily at 10.30 a.m. until further orders.

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

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

[e] 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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
22/11/2024

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22/11/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

TO

- 1 THE JUDICIAL MAGISTRATE,
SINGAMPUNARI, SIVAGANGAI DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING,
SIVAGANGAI,
SIVAGANGAI DISTRICT.
 - 4 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, MADURAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.J.JEEVIN, Advocate (SR-14437[I] dated 22/11/2024)



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ORDER
IN
CRL OP(MD) No.20347 of 2024
Date :22/11/2024

SA/SAR- /21/11/2024/ 6P/7C

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