



CRL OP(MD) No.21296 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). Nos.21296 & 21298 of 2024

Ilayaraja ... Petitioner/ Accused 2 in Crl.O.P(MD) No.21296/2024

1.Sasikumar

2.Kathiravan ... Petitioners/ Accused 6 & 10 in Crl.O.P(MD) No.21298/2024

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Sivagangai PEW Police Station,
Sivagangi District.
Crime No. 212 /2024.

... Respondent/Complainant

(in both Petitions)

For Petitioners : Dr.R.ALAGUMANI, Advocate

For Respondent : Mr.S.RAVI,

Additional Public Prosecutor

PETITIONS FOR BAIL Under Sec.483 of BNSS

COMMON PRAYER :- For Bail in Crime No. 212 of 2024 on the file of the
Respondent Police.



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COMMON ORDER : The Court made the following order :-

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The petitioners / A2, A6, A10, who were arrested and remanded to judicial custody on 29.03.2024, 30.03.2024 and 31.03.2024 respectively, for the alleged offences under Sections 4(1)(aa), 4(1-A) of TN Prohibition Act and Sections 468, 471, 420 IPC and Sections 5, 6, 8 of TN Rectified Spirit Rules, 2000, in Cr.No.212 of 2024, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused persons were found in possession of 3010 liters of rectified spirit. Apart from that they were found in possession of 5550 bottles of spurious liquor, each containing 180 ml. The accused persons had manufactured spurious liquor and had affixed duplicate label. There are totally 14 accused persons in this case and the petitioners have been arrayed as Accused No.A2, A6 and A10.

3.The petitioners had filed previous bail petitions before this Court in Crl.O.P(MD) No.18818 and 18870 of 2024 and the same were dismissed on the ground that the detention orders were passed and the same were challenged by filing Habeas Corpus Petitions and they were pending.

4.When the matter was taken up for hearing today, it was brought to the notice of this Court that HCP filed by the petitioners in H.C.P(MD) Nos.794, 762 and 756 of 2024 were allowed by order, dated 26.11.2024 and the detentions orders were



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quashed.

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5.The learned Additional Public Prosecutor submitted that A2, A6 and A10 were arrested on 29.03.2024, 30.03.2024 and 31.03.2024 respectively. He further submitted that there are no previous cases against A2, there is one previous case against A6 and four previous cases against A7. He further submitted that the investigation has been completed and police report was filed before the learned Judicial Magistrate-I, Singampunari and the same was taken on file in PRC No.5 of 2024.

6. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

7.Taking into consideration the facts and circumstances of the case and considering the long incarceration suffered by the petitioners and also taking note of the fact that the entire spurious liquor has been seized and the investigation has been completed, this Court is inclined to grant bail to the petitioners subject to the following conditions:

8. Accordingly, these criminal original petitions are ordered and the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Singampunari, and on further



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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 petitioners shall report before the learned Judicial Magistrate-I, Singampunari daily at 10.30 a.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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



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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 Act.

sd/-
05/12/2024

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05/12/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1 THE JUDICIAL MAGISTRATE NO.I,
SINGAMPUNARI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
SIVAGANGAI PEW POLICE STATION,
SIVAGANGI DISTRICT.

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

+3 CC to M/s.DR.R.ALAGUMANI, Advocate (SR-14985[I] dated 05/12/2024)



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ORDER

IN

CRL OP(MD). Nos.21296 & 21298 of 2024

Date :05/12/2024

SA/SAR. /05.12.2024/6P/9C

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