



CRL OP(MD). No.22005 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22005 of 2024

A.Marimuthu

... Petitioner /Sole Accused

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.
(Crime No.131 of 2024)

... Respondent / Complainant

For Petitioner : Mr.S.Arokia Selva Ramesh,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.131 of 2024 on the file of the respondent Police.

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



CRL OP(MD). No.22005 of 2024

ORDER : The Court made the following order :-

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The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 01.12.2024 for the alleged offences under Section 4(1)(B) of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.131 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of nine brandy bottles each containing 180 ml, and attempted to sell the liquor.

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

4. Taking into consideration the facts and circumstances of the case, and considering the quantity of liquor bottles involved in this case, and considering the fact that the petitioner has suffered incarceration from 01.12.2024, and also taking note of the fact that there are three previous cases of similar offence as against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



CRL OP(MD). No.22005 of 2024

WEB COPY

5. 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 for a like sum to the satisfaction of the Judicial Magistrate Court, Tiruvadanai, 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 appear before the learned Judicial Magistrate, Tiruvadanai daily at 10.30 a.m. and also before the respondent police at 5.30 p.m. for a period of three weeks and thereafter, as and when required for the interrogation before the respondent police.

[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.



CRL OP(MD). No.22005 of 2024

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[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].

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

sd/-
13/12/2024

/ TRUE COPY /

13/12/2024
Sub-Assistant Registrar (VIGILANCE)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn

TO

1.THE JUDICIAL MAGISTRATE,
TIRUVADANAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3.THE OFFICER-IN-CHARGE,
DISTRICT JAIL,
RAMANATHAPURAM.



CRL OP(MD). No.22005 of 2024

4.THE INSPECTOR OF POLICE,
S.P.PATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.22005 of 2024
Date :13/12/2024

RK (13/12/2024) 5P / 6C

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