



CRL OP(MD). No.22757 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22757 of 2024

Magesh Kumar @ Maheshkumar

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
PEW,
Tirunelveli City.
Crime No. 408/2024.

... Respondent/ Complainant

For Petitioner : Mr.Dhilipan Pandian R L,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 408 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 07.12.2024 for the offences under Sections 4(1)(A) and 14(A) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.408 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons had purchased 1111 bottles of liquor each containing 180 ml from Goa and they were illegally transporting the same to Tamil Nadu. There are totally 13 accused persons in this case and the petitioner has been arrayed as A1.

3. Heard the learned Counsel appearing on either side.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the entire liquor bottles have been seized by the police including the vehicle and also taking note of the fact that the petitioner has suffered incarceration from 07.12.2024 and also considering the fact that there is one previous case against the petitioner and A5 was granted anticipatory bail by this Court in



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Crl.O.P(MD)No.21921 of 2024 by order dated 12.12.2024, this Court is inclined to

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grant bail to the petitioner subject to the following conditions.

5. 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 No.I, Tirunelveli**, 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 Friday at 05.30 p.m for a period of four weeks and thereafter, as and when required for interrogation.

[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 269 BNS 2023.

sd/-
20/12/2024

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20/12/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
TIRUNELVELI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI.



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4 THE INSPECTOR OF POLICE,
PEW,
TIRUNELVELI CITY.

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

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-15811[I] dated 20/12/2024
)

ORDER

IN

CRL OP(MD) No.22757 of 2024

Date :20/12/2024

SA/SAR- /20/12/2024/ 5P/7C

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