



Crl.O.P.No.459 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.459 of 2025

Ganesan

... Petitioner

Vs.

The State represented by,
The Sub-Inspector of Police,
PEW Tiruchengode Police Station,
Namakkal District.
(Crime No.563 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.563 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.P.Venkatesh Kannan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.563 of 2024 registered for the offences punishable under Sections 4(1)(C), 4(1-A)(ii) and 14(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024 is on board for consideration.



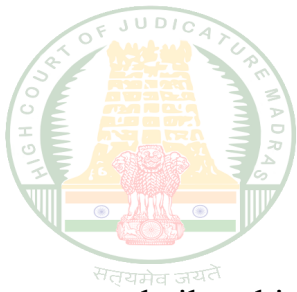
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2. The incarceration of the petitioner being from 28.10.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He also submits that this is the second application for bail filed by the petitioner before this court and the co-accused has been enlarged on bail by this court. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused were illegally transporting 12 litres of illicit arrack in their car. He further submits that there is no previous case against the petitioner/A1 herein and this is his second bail application.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on



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bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Tiruchengode**, 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, everyday at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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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A.D.JAGADISH CHANDIRA.,J.

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

09.01.2025

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To

1. The Judicial Magistrate,
Tiruchengode.
2. The Sub-Inspector of Police,
PEW Tiruchengode Police Station,
Namakkal District.
3. The Superintendent,
Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras.

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