

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, VELLORE,
VELLORE DISTRICT.

Present: Tmt.J.Shanthi, B.Sc., B.L.,
Principal Sessions Judge, Vellore (i/c).
Thursday, the 13th Day of October 2022
Cr.M.P.No.3262/2022
CNR.No.TNVL01-005031-2022

Venkatesan, S/o. Murugesan

...Petitioner/Accused

-Versus-

The Sub-Inspector of Police,
Vellore - PEW P.S.
Cr.No.382/2022

...Respondent/Complainant

Offence: U/s. 4(1)(i), 4(1)(aaa), 4(1-A)(ii) of TNP Act, r/w 328 IPC.
Petition: U/s. 439 of Cr.P.C. Praying to grant bail

This petition comes on before me for final hearing on this day in presence of Thiru.M.Barathiraja, learned counsel for the petitioner, the Public Prosecutor for the respondent and after hearing the representation of both sides, this court, delivered the following:

ORDER

Heard both sides.

The petitioner is alleged to have committed offences U/s. 4(1)(i), 4(1)(aaa), 4(1-A)(ii) of TNP Act, r/w 328 IPC.

The learned counsel for the petitioner submitted that the petitioner was remanded to judicial custody and he was in custody for the past 89 days and he has already been detained under Bootleggers Act and then the same was revoked by the Government vide G.O.Rt.No. 6413/ Home, Prohibition & Excise (IX) Department dated, 28.09.2022, that the petitioner is no way connected with the offences, that the petitioner is falsely implicated in the above case, that the petitioner is having permanent residence, that the petitioner is ready to abide by any condition imposed by this Court, and prays that the petitioner may be granted bail.

The learned Public Prosecutor represented that three previous cases are pending as against the Petitioner and the petitioner was selling illegal arrack which causes harm to the person who consumes it and he was in possession of 120 liters of I.D. Arrack and strongly opposed to enlarge the petitioner on bail.

Considering the fact that there is spread of pandemic disease of Corona virus, social distancing is utmost necessary and in this case also, the petitioner has been in custody for 89 days and the fact that the detention order passed as against the petitioner under Bootleggers Act has been quashed by the government vide G.O.Rt.No. 6413/ Home, Prohibition & Excise (IX) Department dated, 28.09.2022 and that three previous cases are pending as against the petitioner and that the petitioner is having permanent residence and that the petitioner is ready and willing to offer sufficient sureties for his due appearance and also considering facts and circumstances of the case, this Court is inclined to grant bail to the petitioner on condition.

In the result, petition is allowed and accordingly, the petitioner is ordered to be enlarged on bail on executing a bond for a sum of Rs.10,000/-, along with two sureties for the like sum to the satisfaction of the Judicial Magistrate No.III, Vellore on condition that the petitioner shall appear and sign before the respondent police, daily at 10.30 AM. for a period of 30 days (including holidays).

Pronounced by me in Open Court, this the 13th day of October 2022.

Principal Sessions Judge,
Vellore(i/c).

To

The Judicial Magistrate No.III, Vellore.
The Sub Inspector of Police, Vellore - PEW P.S.