



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Fourteenth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.11594 of 2016

MADASAMY

... PETITIONER/ACCUSED No.1

Vs

THE STATE OF TAMILNADU,
REP. BY

THE INSPECTOR OF POLICE
PROHIBITION ENFORCEMENT WING, NAGERCOIL,
KANYAKUMARI DISTRICT.

CR. NO.239/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S C.K.M.APPAJI Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

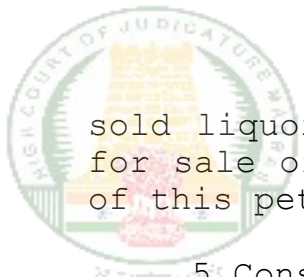
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(a), 4(1)(i) and 24 of Tamil Nadu Prohibition Act, in Crime No.239 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 03.07.2016, at the time of routine inspection by the police, they found that the bar attached with the shop bearing No.4762 was functioning after the time limit and also found 15 labelled Old Secret Rum bottles each containing 180 ml along with a sum of Rs.540/-. The police party seized the same and after returning to the Police Station, a case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He is the owner of the bar. A.2 and A.4 were already arrested and released on bail by the concerned Sessions Court.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner is the owner of the bar. The Government has taken a policy decision fixing the time for sale of liquor in shop. The allegation against the petitioner and other accused is that they



sold liquor to the customers and they have violated the time limit for sale of liquor fixed by the Government and prayed for dismissal of this petition.

5. Considering the serious nature of allegations levelled against the petitioner that the liquor was sold in the bar owning by the petitioner after the time limit fixed by the Government, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly this petition is dismissed.

sd/-
14/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE INSPECTOR OF POLICE
PROHIBITION ENFORCEMENT WING, NAGERCOIL,
KANYAKUMARI DISTRICT. CR. NO.239/2016
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S C.K.M.APPAJI Advocate SR.No.36805

ORDER
IN
CRL OP(MD) No.11594 of 2016
Date :14/07/2016

smn
SH/KBM/SAR-I:18.07.2016:2P/4C