



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

Monday, the Eighth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14021 of 2016

MATHEW

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

THE STATE OF TAMIL NADU
REP. BY ITS INSPECTOR OF POLICE,
PEW, PALANI,
DINDIGUL DISTRICT.
CRIME NO. 94 OF 2015

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S G.RADHAKRISHNAN, ADVOCATE
FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

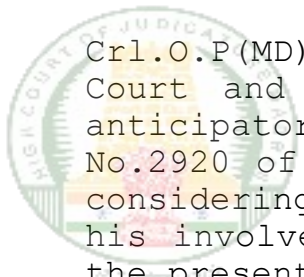
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(aaa), 4(1)(A) of TNP Act and Sections 420 and 328 IPC read with Sections 5, 6, 7 & 11 of TNRS Rules, 2000 (Transport), in Crime No.94 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 29.01.2015, when the defacto complainant was on patrol duty, they went to the field of one Selvaraj and seized 207 cans, each containing 35 litters of illicit spirit to the tune of 7230 litres and also found 83 empty cans and three two wheelers and the respondent Police seized the same in the presence of the Village Administrative Officer and on complaint, case has been registered against the petitioner.

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.

4.It appears that the petitioner was granted anticipatory bail by this Court in Crl.O.P(MD)No.6187 and 5136 of 2015 on 07.07.2015, but whereas the petitioner did not comply with the conditions imposed by this Court. Therefore, the said anticipatory bail lapsed. The petitioner has filed another anticipatory bail petition in



Crl.O.P(MD)No.24737 of 2015, which was considered in detail by this Court and the same was dismissed on 27.01.2016 and the another anticipatory bail petition filed by the petitioner in Crl.O.P(MD) No.2920 of 2016 was also dismissed by this Court on 04.03.2016, by considering the nature of offence committed by the petitioner and his involvement in the case. Now, the petitioner has come out with the present petition.

5.The learned Government Advocate (Criminal Side) submitted that there is no change in circumstances.

6.Considering the fact that there is no change in circumstances from the date of dismissal of the earlier anticipatory bail petitions, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
08/08/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE INSPECTOR OF POLICE,
PEW, PALANI,
DINDIGUL DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.14021 of 2016
Date :08/08/2016

PS
TE/ARK-PV/SAR-I : 12/08/2016 : 2P/3C