



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

Thursday, the Eighteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14541 of 2016

M. SURESH

... PETITIONER/ACCUSED No.5

Vs

STATE REP.BY ITS THE INSPECTOR OF POLICE,
THEVARKULAM P.S., TIRUNELVELI DT.
CR.NO.91 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.J.KARTHICK Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. 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 offences punishable under Sections 4(1)(a), Transport & 4(1)(aaa) & 4(1) (A) of Tamil Nadu Prohibition Act r/w Sections 468, 471, 473, 484, 486, 487 and 420 IPC, in Crime No.91 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 23.07.2016, while the police party was on patrolling at Chokkanachiyalpuram Village, they found that the petitioner is said to have committed the offence of selling poisoned liquor to the general public, by fabricating the TASMAL label and affecting the life of the general public. On complaint, 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.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that petitioner was in possession of brandy bottles, a case under Sections 4(1)(a), Transport & 4(1)(aaa) & 4(1-A) of Tamil Nadu Prohibition Act r/w Sections 468, 471, 473, 484, 486, 487 and 420 IPC, has been registered. He further submitted that the sample materials have been sent for chemical analysis and the Chemical Analysis Report reveals that the seized liquor contains atropine, which is a poisonous substance and therefore, he prayed for dismissal of the petition.



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5.Considering the serious nature of allegation made against the petitioner and the Chemical Analysis Report reveals that the seized liquor contains atropine, which is a poisonous substance, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly, this Criminal Original Petition is dismissed.

sd/-

18/08/2016

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

TO

- 1 THE INSPECTOR OF POLICE,
THEVARKULAM POLICE STATION,
TIRUNELVELI DT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.J.KARTHICK Advocate SR.No. 45434

JA-SKS-RR/SAR.III/2.09.2016/2P:4C

ORDER

IN

CRL OP(MD) No.14541 of 2016

Date :18/08/2016