



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

Friday, the Nineteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15251 of 2016

MOHANRAJ

... PETITIONER/ACCUSED No. 4

Vs

STATE REP.BY THE INSPECTOR OF POLICE

KAMUTHI PEW WING, RAMANATHAPURAM DISTRICT.

CRIME NO. 686 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.ARPUTHARAJ Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused no.4, was arrested and remanded to judicial custody on 24.07.2016 for the offences punishable under Sections 4(1)(a), 4 (1)(i), 4(1) (A) of Tamil Nadu Prohibition Act r/w Sections 468, 471 of IPC, in Crime No.686 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on information the respondent police checked the chilly garden of prince and at that time the petitioner and other accused persons found in possession of 750 ml brandy and 180 ml contain bottle 15 and fake labels 750 and Tamil Nadu Excise Label one bundle and sale amount of Rs.76.630/- and they said to have committed the offence of selling poisoned liquor to the general public 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), 4 (1)(i), 4(1) (A) of Tamil Nadu Prohibition Act r/w Sections 468, 471 of 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.



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 enlarge the petitioner on bail and accordingly, this Criminal Original Petition is dismissed.

sd/-
19/08/2016

WEB COPY

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE, KAMUTHI PEW WING,
RAMANATHAPURAM DISTRICT.
- 2 THE OFFICER INCHARGE, SUB JAIL, MUTHUKULATHUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SABBANI KARPURAJOTHI Advocate SR.No. 46029

trp
JA-SS3-SAR.III/07.09.2016/2P:5C

ORDER
IN
CRL OP(MD) No.15251 of 2016
Date :19/08/2016