



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

Thursday, the Seventh day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.11844 of 2017

KANNAN

... PETITIONER/ACCUSED NO.1

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
PEW POLICE STATION,
TRICHY,
CR.NO.616/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner / A1, who was arrested on 27.08.2017 for the offences punishable under Sections 4(1) (a) r/w 4(1-A) and 24 of Tamil Nadu Prohibition Act in Crime No.616 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused were found in possession of liquor bottles containing poisonous substance and unsealed 173 liquor bottles and sealed 66 liquor bottles and also 7 unsealed opened liquor bottles.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that he did not commit any offence as alleged by the respondent Police and only for statistical purpose, the case was registered against the petitioner.

4.The learned Additional Public Prosecutor would submit on instructions that totally there are 2 accused and the petitioner herein is arrayed as Alin this case, who is the licensed bar owner and A1 & A2 were arrested on 27.08.2017 and they are now in judicial custody. He further submitted that the seized liquors were sent for chemical analysis and chemical analysis report is awaited in this case and the investigation is still pending. He further submitted that A1 is having 12 previous cases in different stations for the offences under NDPS Act and also TNP Act and out of 12, 10 previous cases are similar type of offences.



5.Considering the facts and circumstances of the case and considering the fact that liquor bottles were seized from A1 and he is having similar type of previous cases, this Court is not inclined to grant bail to the petitioner. Accordingly, this petition is dismissed.

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sd/-
07/09/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
PEW POLICE STATION, TRICHY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

ORDER
IN
CRL OP(MD) No.11844 of 2017
Date :07/09/2017

PK/RR-BS/SAR-1/07.09.2017 : 2P/4C