



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

Thursday, the Eighth day of June Two Thousand Seventeen

PRESENT

**The Hon`ble Dr.Justice G.JAYACHANDRAN**

CRL OP (MD) No.6832 of 2017

BOOPATHI

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,  
THE INSPECTOR OF POLICE,  
KUMBAKONAM WEST POLICE STATION,  
THANJAVUR DT.  
CR.NO.562 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.A.S.PRABHU Advocate

For Respondent : MR.K.S.DURAIPANDIAN Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

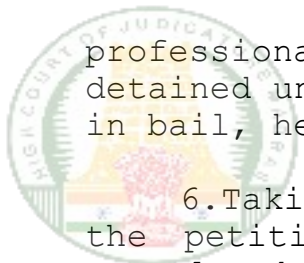
The petitioner/accused, who was arrested and remanded to judicial custody on 02.12.2016, for the alleged offence, punishable under Sections 4(1)(aaa) & 4(1-A) of TNP Act, in Crime No.562 of 2016, on the file of the respondent Police, seeks bail.

2.Heard Mr.K.A.S.Prabhu, learned counsel appearing for the petitioner and Mr.K.S.Duraipandian, learned Additional Public Prosecutor appearing for the State.

3.The fact of the case is that the petitioner was found in possession of 420 bottles of brandy in various kind and 10 litres of pondicherry arrack. The same was seized by the respondent police. The samples of this contraband were sent to chemical analysis and the report indicates that it contains 6.6% of Atropine. Considering this fact, the Trial Court has dismissed the bail petition on 05.04.2017.

4.The learned counsel for the petitioner submitted that the petitioner is in jail, since 02.12.2016, and considering the period of judicial custody, the petitioner may be granted bail, on condition.

5.However, the learned Additional Public Prosecutor opposes this bail petition and contended that this petitioner is a



professional offender, already involved in similar cases and detained under Gundas Act. Therefore, if this petitioner is released in bail, he may indulge in similar offences again.

6. Taking into account, the quantity of contraband seized from the petitioner/accused, and the chemical analysis report, which reveals the presence of Atropine, which is an obnoxious substance, likely to cause injuries to health, this Court is not inclined to grant bail to the petitioner. Accordingly, this bail petition is dismissed.

sd/-  
08/06/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,  
KUMBAKONAM WEST POLICE STATION,  
THANJAVUR DT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT,  
CENTRAL PRISON, TIRUCHIRAPPALLI.

ORDER  
IN  
CRL OP(MD) No.6832 of 2017  
Date :08/06/2017

MKV-RR-SAR 3/14.6.2017/2P-4C