



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

Friday, the Sixteenth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) Nos.7392 and 7393 of 2017

MUTHU @ MUTHURAJ

... PETITIONER/SOLE ACCUSED
IN BOTH THE PETITIONS

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
P.E.W., POLICE STATION,
THOOTHUKUDI DISTRICT
CRIME NO. 306 OF 2017

... RESPONDENT/COMPLAINANT
IN CRL OP(MD)No.7392 of 2017

STATE REP.BY,
THE INSPECTOR OF POLICE
PULIYANPATTI POLICE STATION,
THOOTHUKUDI DISTRICT
CRIME NO. 43 OF 2017

... RESPONDENT/COMPLAINANT
IN CRL OP(MD)No.7393 of 2017

For Petitioner : M/S.P.M.VISHNUVARTHANAN Advocate
IN BOTH THE PETITIONS

For Respondent : MR.C.RAMESH, Additional Public PROsecutor
IN BOTH THE PETITIONS

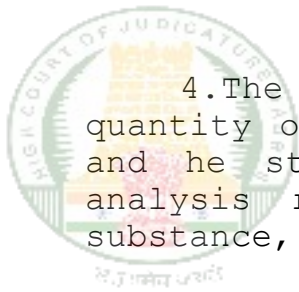
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/sole accused, in both the Criminal Original Petitions, who was arrested and remanded to judicial custody on 03.05.2017, in connection with Crime No.306/2017 and subsequently remanded to judicial custody on 17.05.2017, in connection with Crime No.43/2017 on the file of the respondent/Police for the offences punishable under Sections 4(1)(a) & 4(1-A) of TNP Act seeks bail.

2.Heard Mr.P.M.Vishnuvarthanan, learned counsel appearing for the petitioner and Mr.C.Ramesh, learned Additional Public Prosecutor appearing for the State.

3.The case of the prosecution is that this petitioner was found in possession of thirty bottles of illicit liquor and was arrested and remanded to judicial custody on 03.05.2017.



4.The learned Additional Public Prosecutor submits that the quantity of liquor seized from the petitioner is huge in quantity and he strongly opposed these bail petitions, as the chemical analysis report reveals the presence of Atropine, a poisonous substance, in the seized liquor.

5.The learned counsel for the petitioner submitted that this petitioner is terminally ill, infected with HIV virus and he is under treatment at Tambaram Sanitorium Hospital, Chennai.

6.Taking into account of the quantity of liquor seized from the petitioner and the poisonous substance found in that liquor, as per chemical analysis report, this Court is not inclined to grant bail to the petitioner. However, if the health condition of the petitioner requires any special treatment, the jail authorities are directed to get opinion from the Doctor concerned and admit him in the Government Hospital.

7.With this above direction, these bail petitions are dismissed.

sd/-
16/06/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
P.E.W., POLICE STATION,THOOTHUKUDI DISTRICT.
 - 2 THE INSPECTOR OF POLICE
PULIYANPATTI POLICE STATION, THOOTHUKUDI DISTRICT.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
- +1. CC to M/S.P.M.VISHNUVARTHANAN Advocate SR.No.60930

GK
CSL/PM-PN/SAR-II/21.06.2017: 2P/6C

ORDER
IN
CRL OP(MD) Nos.7392 & 7393 of 2017
Date :16/06/2017