



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

Wednesday, the Tenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.449 of 2018

R.THULASI

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
P.E.W.POLICE STATION, THOOTHUKUDI DISTRICT.
(CR.NO.340/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.SELVARAJ Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

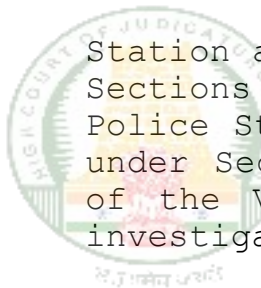
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 4(1) (aa), 4(1-A), 14(a) of Tamil Nadu Prohibition Act and Sections 465, 468 and 471 IPC in Crime No.340 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused have illegally transported 468 bottles of liquor by affixing fake labels on the liquor bottles as if it is the original one.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he is no way connected with the offences and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submitted that the petitioner is having 4 previous cases in Crime No.105 of 2013 for the offence punishable under Sections 4(1) (aaa), 14(A), 4 (1-A) of TNP Act on the file of the Thuckkalay Police Station and in Crime No.152 of 2013 for the offence punishable under Sections 4(1) (a), 4 (1-A) TNP Act and 468, 471 IPC on the file of the Iranial Police



Station and in Crime No.338 of 2014 for the offence punishable under Sections 14(A), 4(1-A) TNP Act on the file of the Kanniyakumari Police Station and in Crime No.7 of 2014 for the offence punishable under Sections 294(b), 353, 307 IPC r/w 25(1) Arms Act on the file of the Valliyoor Police Station. He further submitted that the investigation is still pending.

5.The submissions made by the learned counsel on either side are considered. This case has been registered for the offences punishable under Sections 4(1)(aa), 4(1-A), 14(a) of Tamil Nadu Prohibition Act and Sections 465, 468 and 471 IPC. It is alleged that during the time of occurrence, the petitioner along with other accused transported 468 bottles of liquor by affixing fake labels on the bottle as if it appears to be a genuine product. According to the submissions made by the learned Government Advocate (Crl.side), the petitioner is having 4 previous cases. So considering the previous antecedents of the petitioner, this Court came to the conclusion that if this type of accused released on bail, there will be chances to tamper the witness and hamper the investigation.

6.Taking all the above said aspects into consideration and having regard to the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner at this stage. Accordingly, this Criminal Original petition is dismissed.

sd/-
10/01/2018

/ TRUE COPY /

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

TO

- 1 THE SUB INSPECTOR OF POLICE,
P.E.W.POLICE STATION, THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.449 of 2018
Date :10/01/2018

MKV-PM-PN-SAR 2/23.1.2018/2P-3C