



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.456 of 2018

MUTHU

... PETITIONER / ACCUSED RANK NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PROHIBITION ENFORCEMENT WING,
DINDUGUL, DINDUGUL DISTRICT
(CRIME NO. 7/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.ALAGUSUNDAR Advocate

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

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

ORDER : The Court Made the following order :-

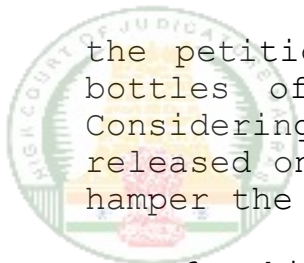
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 4(1) (aaa) and 4(1-A) of Tamilnadu Prohibition Act in Crime No.7 of 2018 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused were found in possession of 5239 bottles of illicit arrack having the seal of Karnataka state.

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 the habitual offender and 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 Section 4(1)(aaa) and 4(1-A) of Tamilnadu Prohibition Act. It is alleged that during the time of occurrence,



the petitioner and other accused were found in possession of 5239 bottles of illicit arrack having the seal of Karnataka State. Considering the factual aspects, if this type of accused are released on bail, there will be a chance to tamper the witnesses 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 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 INSPECTOR OF POLICE
PROHIBITION ENFORCEMENT WING, DINDUGUL,
DINDUGUL DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/CM/VR/SAR-2-22.1.18-2P-3C

ORDER
IN
CRL OP(MD) No.456 of 2018
Date :10/01/2018