

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.05.2020

THE HON'BLE MR.JUSTICE T.RAVINDRAN

CRL.OP.No.7499 of 2020

Munivel

...Petitioner

Vs.

State represented by
Inspector of Police,
Prohibition Enforcement Wing
Tiruvallur, Tiruvallur District

...Respondent

Prayer: Criminal Original Petition is filed under Section 438 of Cr.PC, seeking bail to the Petitioner in the event of his arrest in Crime No.227 of 2020, on the file of the respondent police.

For Petitioner : Mr.T. Muruganantham

For Respondent : Mr.ShunmugaRejeswaran
Government Advocate (Criminal Side)

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ORDER

Apprehending arrest for the offences punishable under Sections 4(1)(a) and 4(1-A) TNP Act, in Crime No. 227 of 2020, on the file of the respondent police, the petitioner has come forward with this petition seeking for Anticipatory Bail.

2. According to the prosecution, while conducting a raid, the respondent police has detected the petitioner and two others holding a plastic can near the river bank and on interception, it was found that they had been in possession of 20 litres of ID Arrack and it is further stated that the petitioner had escaped from the scene of occurrence and the other two accused had been apprehended and remanded to custody and thus the petitioner has committed the offences levelled against him along with the other accused.

3. According to the petitioner, he has not committed the offences put forth against him and the case has been falsely foisted against him and no previous case is pending against him and ready to cooperate with the investigation in all aspects and further it is put forth that the other two accused who had been arrested and remanded to custody had been released on bail by the Sessions Court and accordingly prayed for the appropriate relief.

4. The learned Public Prosecutor submitted that the investigation is still pending and further would state that the other two accused who had been apprehended had been released on bail and no previous case is pending against the petitioner and left the matter to be decided by this Court.

5. Considering the nature of the accusation levelled against the petitioner and the fact that the other two accused involved in the crime had been released on bail by the

Sessions Court and further the petitioner having given the undertaking to cooperate with the investigation in all aspects and the stage of the investigation and as no previous case is pending against the petitioner, considering the abovesaid facts in toto, I am inclined to grant the relief of Anticipatory Bail in favour of the petitioner in the event of his arrest by the respondent police for the aforementioned offences on conditions.

6. For the reasons aforestated, the petitioner is ordered to be enlarged on bail in the event of his arrest or on his appearance, within 15 days from the date of receipt of copy of this order, before the Judicial Magistrate No.II, Poonamallee, on condition of his executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand) with one surety for a like sum to the satisfaction of the respondent police or the police officer who arrests him or the aforementioned Judicial Magistrate. The petitioner is also directed to adhere to the conditions set out under Section 438 Cr.PC.

Accordingly, the Criminal Original Petition is allowed.

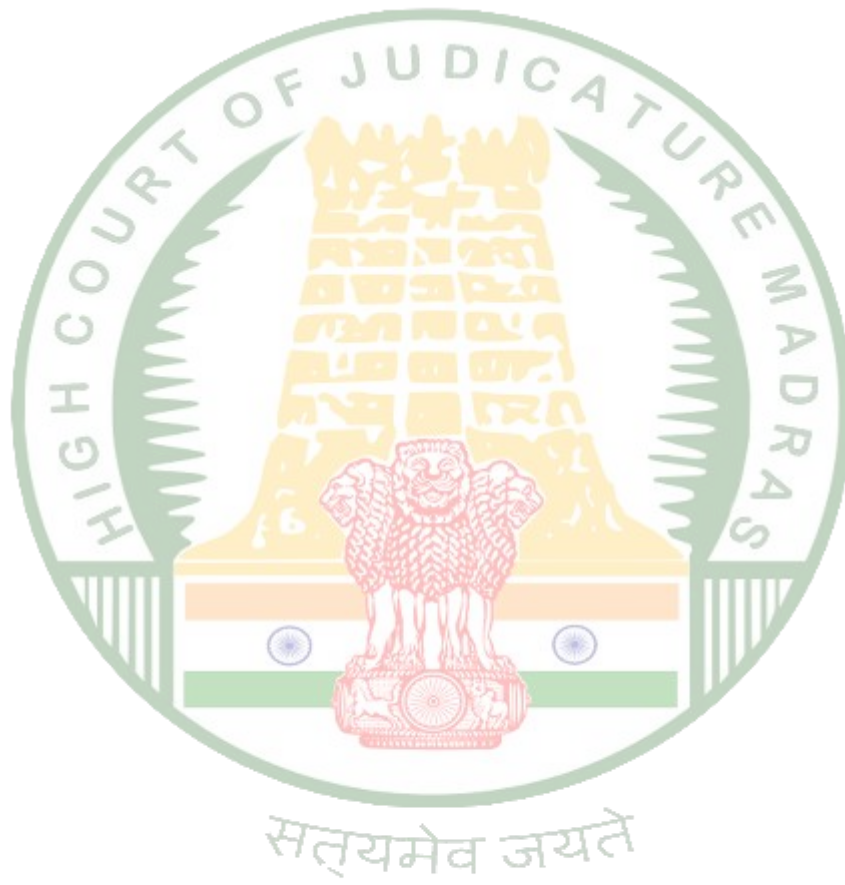
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T.RAVINDRAN, J

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To

1. The Inspector of Police

Prohibition Enforcement Wing

Tiruvallur, Tiruvallur District

2.The Public Prosecutor, High Court, Madras



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