

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2020

THE HON'BLE MR.JUSTICE T.RAVINDRAN

CRL.OP.NO.7528 of 2020

1. Maickel @ Mykkal Raja
2. Madhan @ Madhan Kumar
3. Prakash Petitioners/Accused No.2, 3
and5

Vs.

The State Rep. by
Inspector of Police,
Nangavalli Police Station,
Salem District.
(Crime No.285/2020) Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C. to
enlarge the petitioners on bail in the event of their arrest in Crime
No.285/2020 on the file of the Respondent.

For Petitioners : M/s.M.Subash
C.Deepak Kumar

For Respondent : Mr.T.Shunmuga Rajewaran,
Government Advocate.

ORDER

Apprehending arrest for the offences punishable under sections 4(1) (a) and 4(1-A) of the Tamil Nadu Prohibition Act, on the file of the respondent police, the petitioners/A2, A3 and A5 have come forward with the petition seeking for Anticipatory Bail.

2. According to the prosecution, on 25.04.2020, the respondent police while conducting raid had noted that the petitioners and the other accused had been illegally selling illicit alcohol. When they attempted to arrest them, they were able to nab the first accused alone and the other accused involved in the offences had escaped from the scene of occurrence and the respondent police had noted that the accused were in possession of two litres of alcohol in a five litre Can which contained alcohol with poisonous ingredients endangering human life and thus they had committed the offences put forth against them.

3. According to the petitioners' counsel, the case has been falsely foisted against the petitioners and they had not committed the offences levelled against them and the other two accused involved in the offences had been remanded to judicial custody and the petitioners are ready to

cooperate with the investigation and accordingly, prayed for the relief sought for.

4. It is put forth by the learned Public Prosecutor that the offences put forth against the petitioners are serious in nature and the two accused had been remanded to judicial custody and the investigation is pending and accordingly, strongly opposed the relief sought for by the petitioners.

5. Considering the serious nature of the accusation levelled against the petitioners and the stage of the investigation and further, inasmuch as the two accused involved in the offences had been arrested and remanded to judicial custody and the apprehension of the respondent that the grant of pre-arrest bail in favour of the petitioners would cause obstacles to the process of fair and free investigation, not to be easily discarded, in all, I am not inclined to grant the relief sought for by the petitioners.

6. In the light of the above reasons, the criminal original petition is dismissed.

12.05.2020

Index : Yes/No

Internet : Yes/No

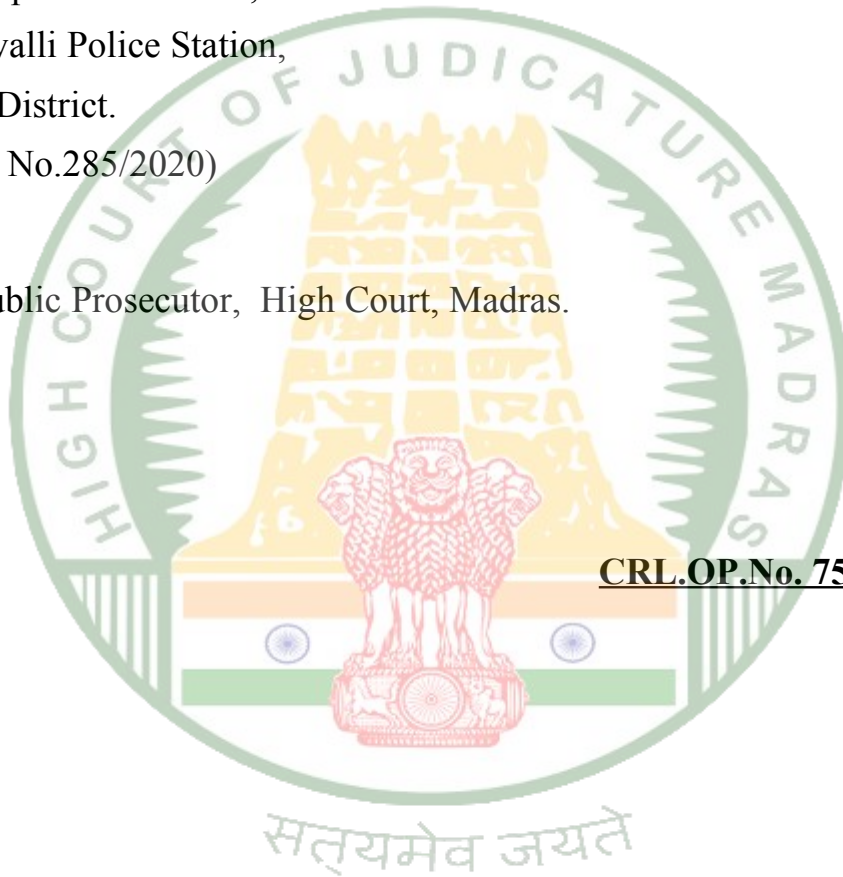
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T.RAVINDRAN,J

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To:

1. The Inspector of Police,
Nangavalli Police Station,
Salem District.
(Crime No.285/2020)
2. The Public Prosecutor, High Court, Madras.



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