

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.05.2020

THE HON'BLE MR.JUSTICE T.RAVINDRAN

CRL.OP.NO.7548 of 2020

Pazhanisamy Petitioner/Accused (A2)

Vs.

State by

Inspector of Police,

Kurinjipadi Police Station,

Cuddalore District,

(Crime No.190 of 2020)

..... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C. to enlarge him on Anticipatory Bail in the event of his arrest by the respondent police concerned in Crime No.190 of 2020 on the file of Inspector of police, Kurinjipadi Police Station, Cuddalore District on his appearance before the concern Court.

For Petitioner : M/s. S.Sasikumar

M.R.Elavarasan

For Respondent : Mr.T.Shunmuga Rajewaran,

Government Advocate.

ORDER

Apprehending arrest for the offences punishable under sections 4(1) (a) & 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.190 of 2020, on the file of the respondent police, the petitioner/A2 has come forward with the petition seeking for Anticipatory Bail.

2. According to the prosecution, on 15.04.2020, while conducting raid, they detected the petitioner and the first accused transporting 30 litres of illicit alcohol containing poisonous ingredients endangering human life for the purpose of selling during the lockdown period and thereby, they had committed the offences put forth against them.

3. According to the petitioner's counsel, he has not committed the offences alleged against him and the case has been falsely foisted against him at the instance of the first accused and further, it is stated that the first accused who was arrested had already been released on bail and the petitioner is ready to cooperate with the investigation and abide with any condition that may be imposed by this Court and accordingly, prayed for the appropriate relief.

4. According to the learned Public Prosecutor, the offences levelled against the petitioner/A2 are serious in nature and the investigation is still pending and however, admitted that the accused A1 involved in the offences, who had been arrested, been released on bail later and further stated that there is no previous case 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, the stage of the investigation, the fact that the first accused had already been released on bail and as no previous case is pending against the petitioner and as the petitioner is ready to cooperate with the investigation in all aspects, I am inclined to grant the relief of anticipatory bail to the petitioner on conditions.

6. In the light of the abovesaid discussions, the petitioner/A2 is ordered to be released on bail in the event of his arrest or on his appearance within 15 days from the date of receipt of a copy of this order before the District Munsif cum Judicial Magistrate, Kurinjipadi, on his executing a bond for Rs.10,000/-(Rupees Ten Thousand Only) with one surety for a like

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sum to the satisfaction of the respondent police or the police officer who arrest him or the District Munsif cum Judicial Magistrate aforesated. The petitioner is also directed to strictly adhere to the conditions set out under Section 438 Cr.P.C.

7. Accordingly, the criminal original petition is ordered.

13.05.2020

Index : Yes/No

Internet : Yes/No

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To:

1. The Inspector of Police,
Kurinjipadi Police Station,
Cuddalore District,
(Crime No.190 of 2020)

2. The Public Prosecutor, High Court, Madras.

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