

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P.No.7755 of 2020

1.K.Dhiyaneshwaran,
S/o.Kalyaneshwaran,

2.R.Palanisamy,
S/o.Ramasamy,

Both the petitioners 1 & 2 are
residing at No.3/108B, Bagampalayam,
Ayyampalayam Post,
Paramathivelur Taluk,
Namakkal District.

.. Petitioners/Accused

Vs.

The State represented by its
The Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.
(Crime No.126 of 2020)

..Respondent/Complainant

Prayer: Criminal Original Petition filed for anticipatory bail under Section 438 of Criminal Procedure Code.

For Petitioners : Mr.E.C.Ramesh

For Respondent : Mr.Jothikumar

Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for alleged offence punishable under Section 4(1)(A) of Tamilnadu Prohibition Act in Crime No.126 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that on secret information, when the defacto complainant and his Police party on patrol duty, they found two litres of illicit arrack in 2nd petitioner's farm house. When the Police party seized the illicit arrack and was making enquiry, the accused ran away from the place, where he was residing. On complaint, a case has been registered under Section 4(1)(A) of Tamilnadu Prohibition Act.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution. Only one litre of illicit arrack was seized. The petitioners are ready to abide by any conditions that may be imposed by this Court and prayed for granting anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that during the present Nation wide lock down due to COVID-19, two litres of illicit arrack was seized from the 2nd petitioner's farm house. The investigation is pending. If the petitioners are granted anticipatory bail, they will hamper the investigation and prayed for dismissal of the petition.

5.Heard the learned counsel appearing for the petitioners as well as the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

6.Considering the serious nature of offence, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the Criminal Original Petition is dismissed.

21.05.2020

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Index : Yes / No

Internet : Yes / No

Speaking/Non-speaking order



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To

1.The Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.

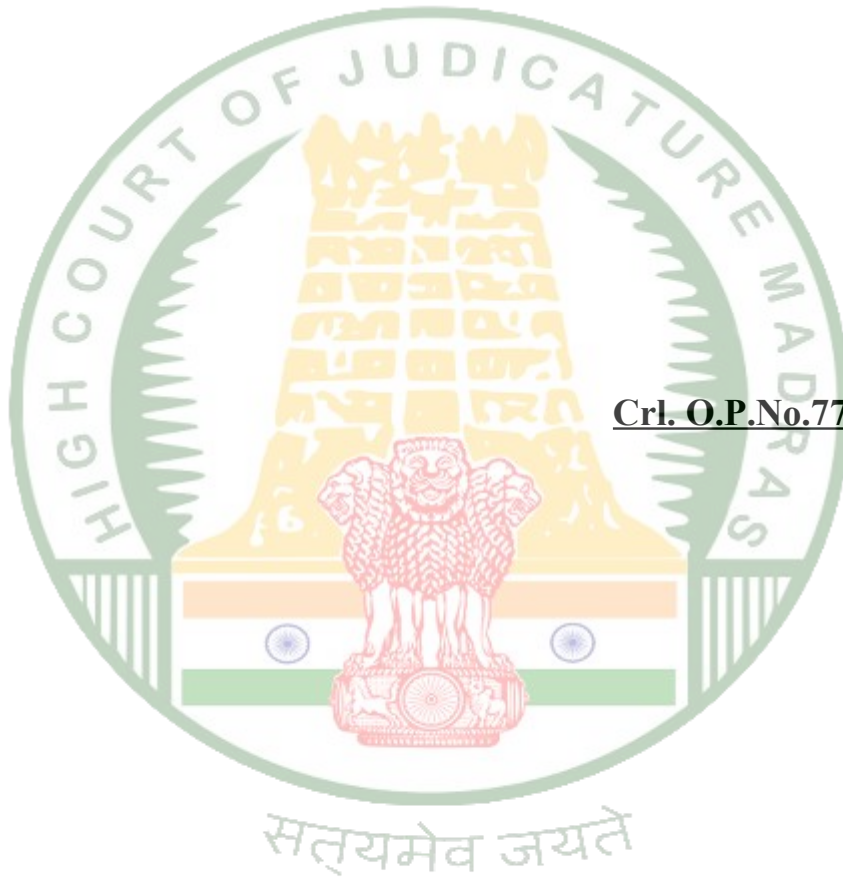
2.The Public Prosecutor,
High Court,
Madras.



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V.M.VELUMANI, J.,

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