

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.05.2020

THE HON'BLE MR.JUSTICE T.RAVINDRAN

CRL.OP.No.7618 of 2020

Kalimuthu @ Bharathidasan ...Petitioner

Vs.

State represented by
Inspector of Police,
Bhuvanagiri Police Station,
Cuddalore DistrictRespondent

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.251 of 2020, on the file of the respondent police.

For Petitioner : Mr.R. Thirumoorthy

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

ORDER

Apprehending arrest for the offences punishable under Section 4(1) (g), 4 (1) (a) r/w 4 (1-A) of TNP Act, in Crime No. 251 of 2020, on the file of the respondent police, the petitioner/A4 has come forward with this petition seeking for Anticipatory Bail.

2. According to the prosecution, the petitioner and the other accused

involved in the crime had distilled and prepared the illicit alcohol and accordingly they were in the possession of 5 ½ litres of alcohol containing poisonous ingredients endangering human life and thereby committed the offences put forth against them.

3. According to the petitioner's counsel, the case has been falsely foisted against him and nothing has been recovered from the petitioner as alleged by the prosecution and further it is stated that the petitioner had been falsely implicated at the instance of A1 to A3 and the petitioner is ready to cooperate with the investigation and abide with the conditions that may be imposed on him by this Court and accordingly prayed for the relief sought for.

4. On the other hand, it is stated by the learned Public Prosecutor that the offences levelled against the petitioner and the other accused are serious in nature and the investigation is still pending and further would state that four previous cases are pending against the petitioner, one under the Arms Act, another under Section 307 IPC and another case under Section 506(2) IPC and therefore, it is put forth by him that the antecedents of the petitioner are not good and if the petitioner is granted the relief prayed for, he would escape from the clutches of law and also cause obstacles to the process of free and fair investigation and accordingly strongly opposed the relief sought for.

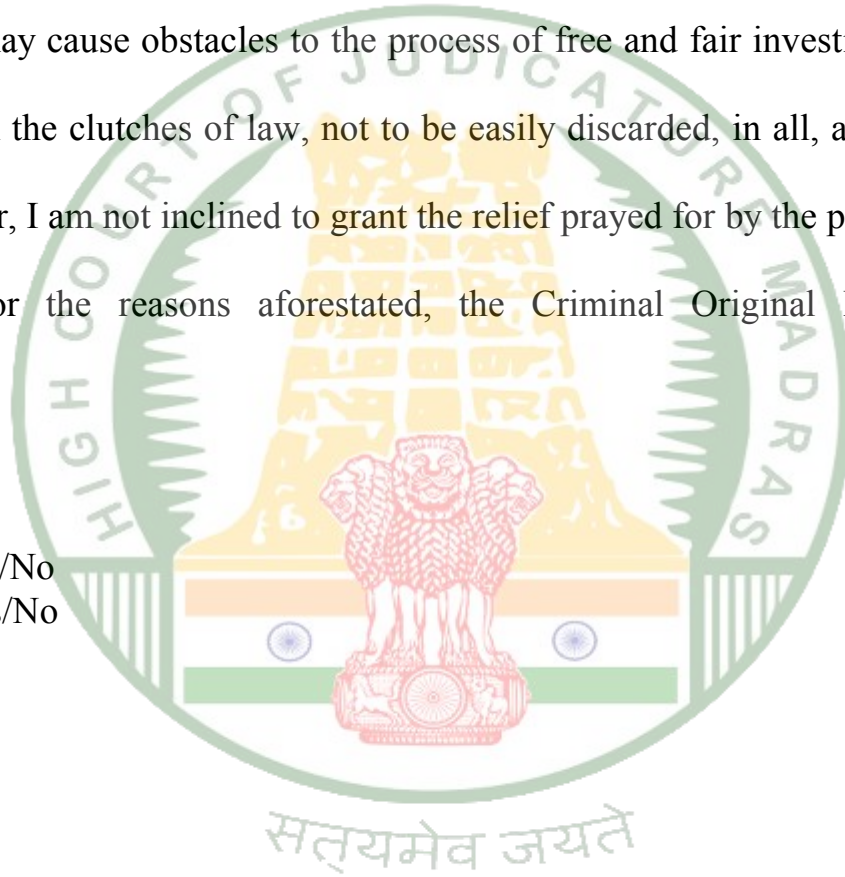
5. Considering the serious nature and gravity of the crime levelled against the petitioner, the stage of the investigation and the bad antecedents of the petitioner, as put forth by the learned Public Prosecutor and his involvement in various cases and the apprehension of the prosecution that the petitioner may cause obstacles to the process of free and fair investigation and escape from the clutches of law, not to be easily discarded, in all, at this stage of the matter, I am not inclined to grant the relief prayed for by the petitioner.

6. For the reasons aforesated, the Criminal Original Petition is dismissed.

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Index : Yes/No
Internet: Yes/No

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T.RAVINDRAN, J

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To

1. The Inspector of Police
NAMAKKAL Police Station, Namakkal District
- 2.The Public Prosecutor, High Court, Madras



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