

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P. No. 7644 of 2020

Ramasamy,
S/o. Venkatachlam,
No.5/77A, KK Nagar,
Edanganasalai,
Sankari,
Salem 637 502.

.. Petitioner/ Sole Accused

The State rep. by its
Inspector of Police,
Magudamchavadi Police Station,
Salem District.

[Crime No. 388 of 2020]

.. Respondent/ Respondent

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

For Petitioner : Mr. M. Subash

For Respondent : Mr. T. Shunmuga Rajeswaran
Government Advocate (Crl. side)

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for alleged offence punishable under Sections 4(1)(a), 4(1)(g) and 4(1-A) of the Tamil Nadu Prohibition Act, in Crime No. 388 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that during the lock down period due to COVID-19 pandemic, on secret information, on 29.04.2020, the de-facto complainant and his police party conducted a raid in the petitioner's farm house, found that the petitioner and other accused have prepared illicit arrack with poisonous intoxication, 2 litres of illicit arrack and ingredients for preparing more illicit arrack. On complaint, a case has been registered under Sections 4(1)(a), 4(1)(g) and 4(1-A) of the Tamil Nadu Prohibition Act.

3. Learned counsel appearing for the petitioner submitted that A-2, who is the servant of the petitioner is maintaining the farm house of the petitioner and the petitioner visits the farm house only once in a month. The petitioner is innocent and he has not committed any offence. Only based on the

confession of A-2, the petitioner was made as accused and prayed for granting anticipatory bail.

4.Learned Government Advocate (Crl. Side) appearing for the respondent submitted that 2 litres of illicit arrack and ingredients for preparing illicit arrack were seized from the farm house of the petitioner. The petitioner has committed serious offence and the investigation is pending. The custodial interrogation of the petitioner is necessary to complete the investigation and prayed for dismissal of the petition.

5. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate (Crl. Side) appearing for the respondent and perused the materials available on record.

6.Considering the serious nature of offence and investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioner.

7.In the result, the Criminal Original Petition stands dismissed.

18.05.2020

Index : Yes / No
gsa/kj

To

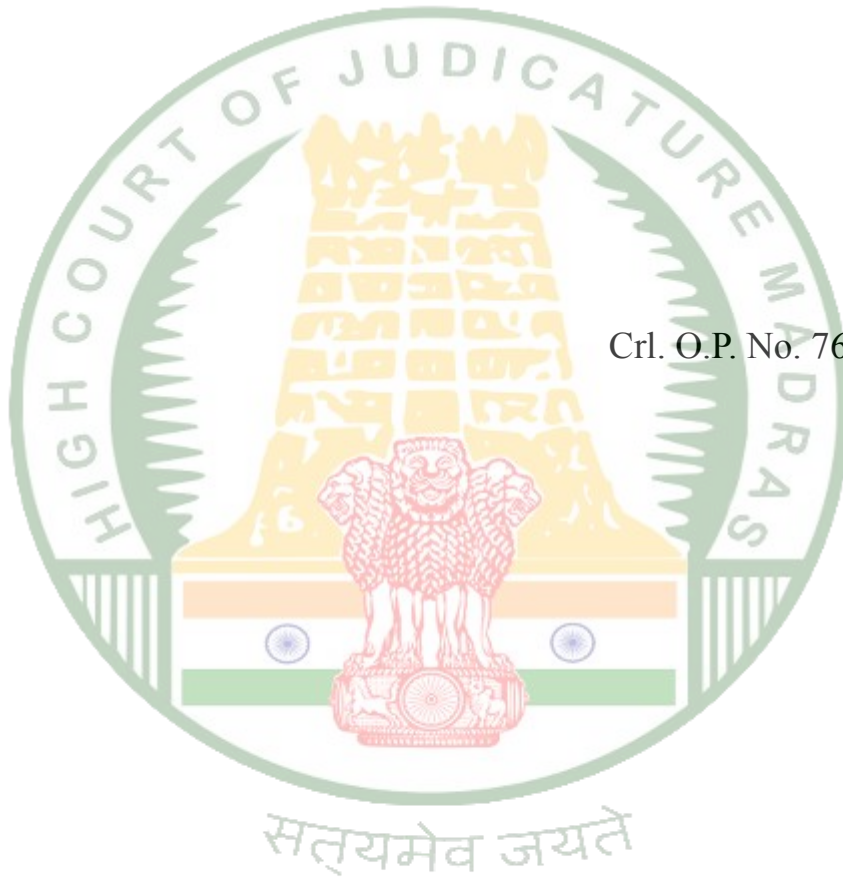
- 1.The Inspector of Police,
Magudamchavadi Police Station,
Salem District.
- 2.The Public Prosecutor,
High Court, Madras.



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V.M.VELUMANI, J.,

gsa/kj



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