

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P.No.7651 of 2020

S.Velmurugan, M/47,
S/o.Subramani,
D.No.28, Mariyamman Koil Street,
Pasumbalur, Veppanthattai Taluk,
Perambalur District. .. Petitioner/Accused

Vs.

The State,
Represented by Sub Inspector of Police,
Prohibition Enforcement Wing.,
Perambalur Police Station,
Perambalur District. ..
Respondent/Complainant
(Crime No.493 of 2020)

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

For Petitioner : M/s.T.Dharani
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 Section 4(1)(g) of Tamil Nadu Prohibition Act in Crime No.493 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that on 04.05.2020, on secret information, the defacto complainant along with his Police party conducted search and found 50 litres of ingredients to make illicit arrack in a barrel on the petitioner's land. On enquiry, they found vessels and other ingredients to prepare illicit arrack continuously. On complaint, a case has been registered against the petitioner under Section 4(1)(g) of Tamil Nadu Prohibition Act.

3.The learned counsel appearing for the petitioner submitted that due to wreck vengeance created during local body election, the petitioner's name is falsely implicated in this case by the opposite political party and with an ulterior motive, a case has been registered against the petitioner. The petitioner is not aware of the barrels kept in his field. He further submitted that the petitioner is innocent and if he is arrested, his family reputation will be affected in the public. The petitioner is ready to abide by any conditions imposed by this Court and prayed for granting Anticipatory Bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that barrel containing 50 litres of ingredients to prepare illicit arrack, vessels and other ingredients to prepare more illicit arrack found in the field of the petitioner, a sample of arrack has been sent for chemical examination and the investigation is pending 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 Police and perused the materials available on record.

6. Considering the facts and circumstances of the case and the serious nature of offence, awaiting chemical report and investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioner.

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

18.05.2020

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Index : Yes / No

Internet : Yes / No

Speaking/Non-speaking order

To

1.The Sub Inspector of Police,
Prohibition Enforcement Wing.,
Perambalur Police Station,
Perambalur District.

2.The Public Prosecutor,
High Court,
Madras.



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V.M.VELUMANI, J.,

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