

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P. No. 7913 of 2020

Madesh @ Thendral,
S/o. Mathan,
D.No. 6/258, Korippalayam,
Anchetty, Krishnagiri District.

.. Petitioner/ Accused

Vs.

The State rep. by its
The Inspector of Police,
Anchetty Police Station,
Krishnagiri District.
[Crime No. 102 of 2020]

.. Respondent/ Complainant

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

For Petitioner : Mr. K. Prasanna

For Respondent : Mr. M. Jothikumar
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for alleged offence punishable under Section 4(1)(g) r/w Section 4(1-A) of TNP Act, in Crime No. 102 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that, on 21.04.2020, the de-facto complainant and his Police party on receipt of secret information that illicit liquor is prepared in a garden north to Anchetty Mosque, raided the said place. On seeing the Police party, the petitioner and three others ran away from the place of occurrence. On search, it was found that the petitioner and other accused were preparing 100 litres of illicit arrack with poisonous substances. The de-facto complainant and other Police party seized the ingredients and sent the same for chemical analysis. On complaint, a case has been registered under Section 4(1)(g), r/w Section 4(1-A) of TNP Act.

3. The learned counsel appearing for the petitioner submitted that the petitioner who is arrayed as A1 is innocent, he has not committed any offence

as alleged by the prosecution and he is falsely implicated in the present case. The petitioner is ready and willing 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 the petitioner and three other accused persons were preparing illicit arrack with poisonous substance. If the petitioner is granted anticipatory bail, he will continue to indulge in committing the same offence. The accused persons are absconding. The investigation is pending and hence, he vehemently opposed for granting anticipatory bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner 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 allegation against the petitioner, present pandemic situation and submissions of the learned counsel on either

side, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

27.05.2020

Index : Yes / No
gsa

To

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



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V.M.VELUMANI, J.,

gsa



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