

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

CrI.O.P. No.8006 of 2020

1.Simbu @ Silamparasan (M-29), A-2,
S/o.Narayanan,

2.Yokkobu, (M-29), A-3,
S/o.Moses,

Both are residing at

Amman Koil Street,
Kuthambakkam, Poonamalle Taluk,
Tiruvallur District.
Pin – 600 124.

.. Petitioners / Accused-2 & A-3

The State represented by
Inspector of Police,
Vellavedu Police Station,
Thiruvallur District.

.. Respondent / Complainant

[Crime No.1057 of 2020]

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

For Petitioners : Mr.R.Thirumoorthy
for Mr.D.Raja
For Respondent : Mr.M.Jothikumar
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for alleged offence punishable under Sections 4(1)(g), 4(1)(a) r/w 4(1-A) of TN Prohibition Act in Crime No.1057 of 2020, seek anticipatory bail.

2.The case of the prosecution is that, while the defacto complainant and his Police party were on patrolling duty to check-up with regard to prohibition of offences, the petitioners and A1 on seeing the Police, tried to escape from the place of occurrence. The Police caught hold of A1 and petitioners escaped from the said place. On search, it was found that ingredients for preparing 100 litres of illicit arrack and 10 litres of illicit arrack with poisonous substance. A1 was arrested and seized the materials and sent for chemical analysis. On complaint, case has been registered under Sections 4(1)(g), 4(1)(a) r/w 4(1-A) of TN Prohibition Act

3.The learned counsel appearing for the petitioners submitted that the

petitioners are nothing to do with the prosecution case. Only on the confession of A1, the petitioners were impleaded with ulterior motive. The learned counsel appearing for the petitioners further submitted that investigation almost completed and materials were seized and destroyed and custodial interrogation of the petitioners is not necessary and prayed for granting anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioners and A1 were in possession of 10 litres of illicit arrack and ingredients for preparing 100 litres of illicit arrack with poisonous substance during this pandemic situation. The respondent Police seized the materials and samples were sent for chemical analyzation. Chemical report is awaited, investigation is not completed 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 allegation, chemical report is awaited and investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

29.05.2020

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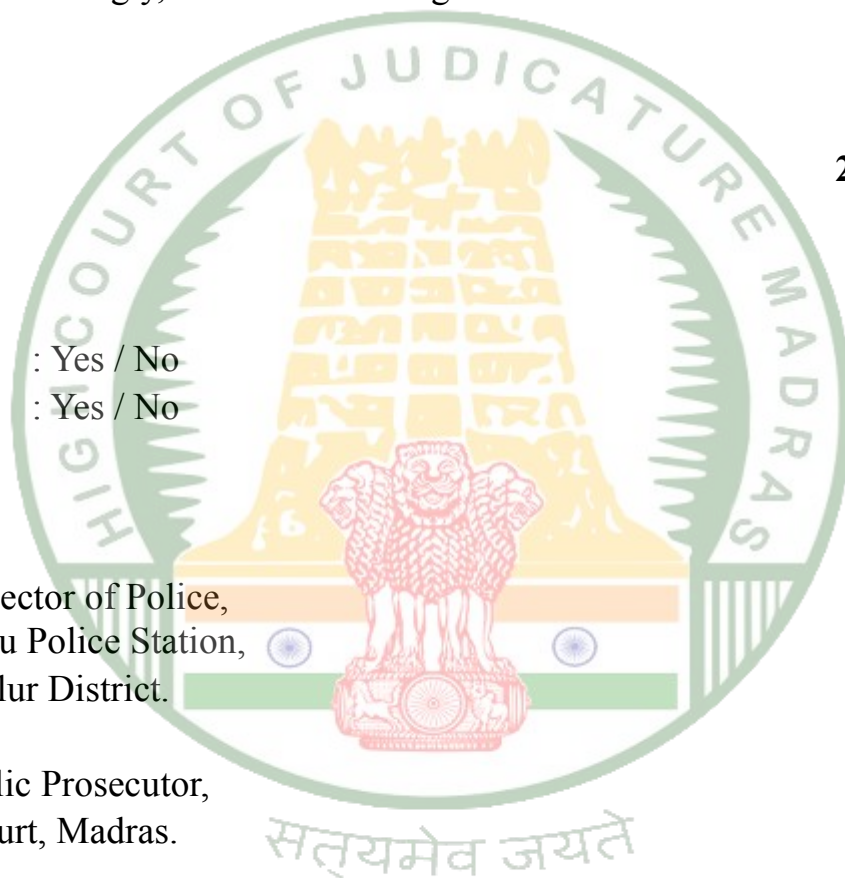
Index : Yes / No

Internet : Yes / No

To

1.The Inspector of Police,
Vellavedu Police Station,
Thiruvallur District.

2.The Public Prosecutor,
High Court, Madras.



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V.M.VELUMANI, J.,

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