

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.09.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.13482 of 2020

Arul

... Petitioner

-Vs.-

State Rep. by
The Inspector of Police,
Thalaivasal Police Station,
Salem District.
(Crime No.490 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.490 of 2020 on the file of the Respondent.

For Petitioner : Mr.T.Ganesan

For Respondent : Mr.T.Shanmugarajeswaran
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 07.08.2020 for the offence punishable under Sections 4(1)(i), 4(1)(aaa), 4(1-A) of TNP Act, in Crime No.490 of 2020, seeks bail.

2. The case of the prosecution as per the de facto complainant Settu is that A1 and A2 were selling ID arrack and the de facto complainant bought liquor for a sum of Rs.100/- and consumed it. After consumption, he felt giddiness and vomiting. The respondent police went to the place of occurrence and found the petitioner and other accused were in possession of 240 liters of I.D arrack and arrested the accused.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner along with other accused were found in possession of 240 liters of I.D Arrack and that he has got one previous case. Hence, he objected for the grant of bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner would submit that the co-accused have been granted bail by the District and Sessions Court. The learned Government Advocate (Crl.Side) submitted that insofar as those accused are concerned, they do not have any previous case, as far as this petitioner is concerned, he has one previous case in the year 2019.

6. Taking into consideration the facts and circumstances of the case and the quantity of illicit arrack and that the petitioner is arrested only on 07.08.2020, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed for the present.

-sd/-

02/09/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, ATTUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
THALAIVASAL POLICE STATION, सत्यमेव जयते
SALEM DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT JAIL, ATTUR, SALEM.

WEB COPY

CC to M/S.T.GANESAN Advocate on payment of necessary charges

CRL OP.13482/2020

Date :02/09/2020

RVR 09/09/2020