



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Fourth day of April Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CRL OP(MD) No.5273 of 2020

SARAVANAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION, PUDUKKOTTAI DISTRICT.
(CRIME NO.315/2020)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.PRASANNA, Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is the sole accused, who was arrested and remanded to judicial custody on 02.04.2020 for the alleged offences punishable under Sections 4(1)(a) r/w. 4(1-A) of Tamil Nadu Prohibition Act and Section 51(b) of Disaster Management Act, in Crime No.315 of 2020, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that on 02.04.2020, the petitioner was found in possession of 67 brandy bottles.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was arrested on 02.04.2020 and for the past 23 days, he was in custody, and hence, he may be granted bail.

4. The learned Additional Public Prosecutor submitted that on secret information, the respondent police went to the spot and arrested the petitioner and recovered 67 brandy bottles and now, the samples were sent for Forensic Lab to find out the percentage of the alcohol and illicit arrack and the report is awaiting.



5. I have heard the learned counsel on either side and perused the records.

6. On a perusal of the records, it is seen that the petitioner alleged to have sold alcohol and during the lock down period, he was found in possession of 67 brandy bottles and the sample has also been sent to the Forensic Lab and still the report has not been received. If the petitioner is released on bail, there is a possibility of doing the same business, during the lock down period is in force and the prohibitory order passed under Section 144 of Cr.P.C. also in force.

7. Considering the facts and circumstances of the case and also considering the current scenario, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this petition is dismissed.

sd/-
24/04/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: This order copy may be treated as true copy

TO

- 1 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.
- 2 THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 3 ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.5273 of 2020
Date :24/04/2020