



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD).No.5947 of 2021

Periyasamy ...Petitioner/Accused No.4

Vs.

State rep by
The Inspector of Police,
Pamban Police Station,
Ramanathapuram District.
Cr.No.94 of 2021.

... Respondent/Complainant

For Petitioner : Mr.Subash Babu.M,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.94 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as Accused No.4, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(aaa) and Section 24 of Tamil Nadu Prohibition Act, in Crime No.94 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on secret information, on 17.04.2021 at about 22.15 hours the defacto complainant team went to a Tin Shed near Kupai Gidangu (waste drumpyard) at Pamban Vivekanandar Nagar and found that A1 to A3 were selling huge quantity of liquor illegally. On seeing the police, they fled away and the defacto complainant said to have found out 2011 of brandy bottles. On investigation it is found that these liquor bottles were stolen from Shop No.7013 by Ravichandran and Malaisamy with the help of Supervisor, who is the petitioner herein and selling it at huge price. Hence, the complaint.



3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

4. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the petitioner is having one previous case and investigation is still pending. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

6. It is seen from the typed set of papers filed by the petitioner that the petitioner was suspended by his employer for violating the rules in connection with bulk selling of liquor to individual person.

7. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the petitioner is a Supervisor, who alleged to have stolen large quantity of liquor bottles from the Tasmac Shop and also sold it for huge price and also one previous case is pending against him, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Hence, this criminal original petition stands dismissed.

sd/-
27.04.2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsd

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. The Inspector of Police,
Pamban Police Station,
Ramanathapuram District.



2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-3521[I] dated 29/04/2021)

ORDER
IN
CRL OP(MD) No.5947 of 2021
Date : 27/04/2021

VB SKN SAR I (04/05/2021) 3P / 4c