



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

Date : 30/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.8256 of 2021

Kalingarajan

... Petitioner/1st Accused

Vs

State Rep.by
The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.
(Crime No.252 of 2021)

... Respondent/Complainant

For Petitioner : Mr.S.Chellapandian, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

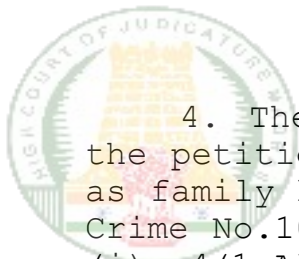
PRAYER :- For Bail in Crime No.252 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 10.06.2021 for the offences punishable under Section 4(1)(aaa), 4(1-A) of TNP Act r/w.6 and 7 of Rectified Spirit Rules in Crime No.252 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on prior information being received the respondent police on 22.05.2021 conducted search near Elangovan's grove they found 22 white color plastic can with capacity of 25 litres and it contains 33 litres of rectified spirit. During investigation it came to know that the other accused Sundhar also involved in gathering the rectified spirit, thereafter the case came to be registered.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would submit that the petitioner is a B.Com graduate. Due to some dispute and issue between the police and his mother a false case has been foisted against the petitioner. He would further submit that the petitioner is in custody from 10.06.2021, hence he



4. The learned Additional Public Prosecutor would submit that the petitioner, his mother and his brother are doing this business as family business. He would also submit that two previous cases in Crime No.10 of 2019 for the offences under Sections 4(1)(a), 4(1)(i), 4(1-A) TNP Act of Pandhanallur Police Station and Crime No.327 of 2018 under Sections 4(1)(aaa) 4(1-A) of TNP Act of Manalmedu Police Station are pending against the petitioner. He would also submit that proceeding was initiated to detain the petitioner under Act. 14 of 1982 and it is pending before the District Collector, hence he strongly opposed to grant bail to the petitioner.

5. This is the case of illegal possession of rectified spirit and the same has been recovered from this petitioner. The case of the prosecution is that the petitioner herein is said to have stored rectified spirit for preparing illicit arrack. This petitioner was arrested only on 10.06.2021. Proceedings has been initiated to detain the petitioner under Act.14 of 1982 and it is pending for approval by the District Collector.

6. Taking into consideration all the above factors, this Court is not inclined to grant bail to the petitioner.

7. In the result, the petition stands dismissed.

sd/-
30/06/2021

/ TRUE COPY /

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

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,
PANTHANALLUR POLICE STATION,
THANJAVUR DISTRICT.
- 2 THE OFFICER INCHARGE, SUB JAIL,
KUMBAKONAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.8256 of 2021
Date :30/06/2021

AAV

<https://hdcvceservices.gov.in/Services/7.2021/2P.4C>