



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.17420 of 2021

Ravichandran

... Petitioner/Accused No.9

Vs

State rep.by

The Sub Inspector of Police,
Jetty-Police Station, Rameswaram,
Ramanathapuram District.
(Crime No.229 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Balamurugapandi.D., Advocate.

For Respondent : M/s.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.229 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4 (1)(aaa) of Tamilnadu Prohibition Act, in Crime No.229 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 27.10.2021 at about 6.00 a.m., on secret information, the respondent police checked the TATA Indica Car bearing Registration No.TN-74-J-8661, which was parked opposite to Masani Ammam Temple, in which, there were five members. On seeing the police officials, two persons escaped from the occurrence place and the remaining three persons were caught and were found in possession of 60 bottles of beer, 435 bottles of 180 ml brandy bottles. Therefore, the present case came to be registered.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that on the date of occurrence (i.e) 27.10.2021, the petitioner was taking treatment in a hospital as inpatient and he was not at all present in the occurrence place, only on the confession of the co-accused, the petitioner was arrayed as accused in this case.

4.Based on the above submission, this Court directed the respondent police to verify the statement of the petitioner and also file a report to that effect before this Court.

5.The learned Government Advocate(Crl.Side) has submitted a report filed by the respondent, wherein it is stated that the petitioner was admitted in the Ramanathapuram Rajan Hospital on 26.10.2021 for taking treatment and discharged on 30.10.2021 and also submitted that the petitioner's name has been deleted from the final report.

6.On perusal of the records, it shows that the petitioner was not at all present in the occurrence place and at that time he was admitted in the hospital for taking treatment.

7.Since the petitioner's name has been deleted from the First Information Report, nothing survives in this petition for further consideration or direction. This Petition has become infructuous and accordingly this Criminal Original Petition is dismissed as infructuous.

Sd/-
14/12/2021

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

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 SUB INSPECTOR OF POLICE,
JETTY-POLICE STATION,
RAMESWARAM,
RAMANATHAPURAM DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. BALAMURUGAPANDI.D. Advocate SR.No.9206

ORDER
IN
CRL OP(MD) No.17420 of 2021
Date :14/12/2021

SP/VR/SAR III/06/01/2022/3P/4C