



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty First day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9067 of 2022

BANUPRIYA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ATTUR RURAL POLICE STATION,
SALEM DISTRICT.
(CRIME NO.69/2022)

[RESPONDENT]

For Petitioner : M/S. P.NARMADHA Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 4(1)(i), 4(1)(aa) and 4(1-A) of the Tamil Nadu Prohibition Act in Crime No.69 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehending arrest in Crime No.69 of 2022 for the alleged offences under Sections 4(1)(i), 4(1)(aa) and 4(1-A) of the Tamil Nadu Prohibition Act is before this Court seeking anticipatory bail on the ground that the first accused was arrested and granted bail, whereas this petitioner is an innocent person and she has nothing to do with the alleged contraband. The first petitioner is none other than the husband of the petitioner.

3. From the FIR, this Court finds that the accused persons, in order to get more intoxication, has mixed Datura seed juice in the illicit distilled arrack and were selling it to the general public illegally. At the time of raid, 60 litres of illicit arrack mixed along with Datura seed juice being mixed with the ideal arrack and was about to sell the same. Now, the petitioner is absconding and seeks anticipatory bail.



3. The learned Government Advocate (Crl. Side) objects anticipatory bail to the petitioner on the ground that chemical report analysis is awaited and the very sale of illicit arrack is illegal to add Datura seed juice which is poisonous and injurious to health which makes the offence more graver. In this case, both the husband and wife involved in illicit arrack and grant of anticipatory bail to the petitioner will lead to recurrence of offence.

4. Considering the merit in the objection, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, this Criminal Original Petition is dismissed.

-sd/-

21/04/2022

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 INSPECTOR OF POLICE,
ATTUR RURAL POLICE STATION,
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S S.SATHEESHKUMAR Advocate on payment of necessary charges SR.No.5997

CRL OP.9067/2022

Date :21/04/2022

CSK 26/04/2022