



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12358 of 2022

WEB COPY

Selvam

... Petitioner/Accused No.4

Vs

State Rep.by
The Inspector of Police,
PEW Police Station,
Kumbakonam,
Thanjavur District.
(Crime No.1278/2022).

... Respondent/Complainant

For Petitioner : M/s.K.Sivabalan, Advocate.
For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.1278/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 4(1) (aa) r/w. 4(1-A) TNP Act 4, 6 and 7 of TN Rectified Spirit Rules, 2000 in Crime No.1278 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant along with his policemen were on routine duty and at that time, they found Car bearing Regn.No.TN 32 M 3125 and that was intercepted by them on suspicion. On search, it was found that 70 Litters of spirit transported by the petitioners without following the procedure. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that based on the confession of co-accused only his name has been arrayed as accused and he is innocent and his name has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) for the respondent would submit that as per the confession statement of co-accused his name has been implicated in this case. He would further submit that



the petitioner only insisted the co-accused to supply the spirit illegally and he is having one previous case in similar nature in Crime No.26 of 2021

5.Considering the fact that the petitioner is having one previous case in similar nature and that he only insisted the petitioner to supply the spirit illegally, he is not entitled to the relief of anticipatory bail and hence, this Criminal Original Petition is deserves to be dismissed.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

25/08/2022

/ TRUE COPY /

/09/2022

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

TO

1 THE INSPECTOR OF POLICE, PEW POLICE STATION, KUMBAKONAM,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.12358 of 2022

Date :25/08/2022

RS/VR/SAR.2 (06.09.2022) 2P/3C