



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

Dated: 05/12/2022

PRESENT

WEB COPY

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP (MD)No.20472 of 2022

K.Selvam : Petitioner/Accused No.4

Vs.

State represented by
The Inspector of Police,
Prohibition Enforcement Wing,
Kumbakonam,
Thanjavur District.
(Crime No.1278 of 2022)

: Respondent/Complainant

For Petitioner : Mr.K.Saravanan, Advocate
For Respondent : Mr.SS.Madhavan
Government Advocate (Criminal side)

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

PRAYER:-

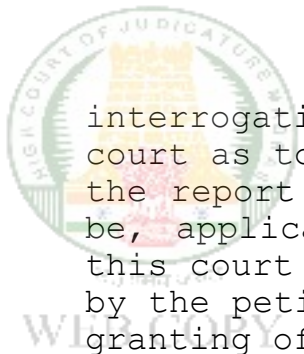
For Anticipatory Bail in Crime No.1278 of 2022 on the file of the Respondent Police.

ORDER:- The Court made the following order:-

The petitioner, who is arrayed as A4 apprehending arrest at the hands of the respondent police for the alleged offences under section 4(1)(aa) and 4(1-A) of Tamil Nadu Prohibition Act r/w sections 4,6 and 7 of the Tamil Nadu Rectified Spirit Rules, 2000 (TRANSPORT) Act in Crime No.1278 of 2022 on the file of the respondent, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant along with his policemen were on routine duty and at that time, they found a car bearing registration No.TN-32-M-3125 and that was intercepted by them on suspicion. On search it was found that 70 liters of spirit transported by the petitioner without following the procedure. Hence, the complaint.

3.The earlier application was dismissed on the ground of involvement of the petitioner in this crime. According to the petitioner now the final report has been filed and there is no necessity for subjecting the petitioner to the custodial



interrogation. A report has been called from the concerned court as to the stage of the final report. But it has been stated in the report that no final report has been filed. Now whatever it may be, application that was filed A1 and A2 came to be dismissed by this court in Crl.OP(MD)No.1516 of 2022, when the regular bail filed by the petitioner was dismissed by this court, though later granted, granting of anticipatory bail for this petitioner may not be proper.

4. More over, reading of the final report shows that he supplied the said spirit to the co-accused for the purpose selling. Considering the heinous offence of such nature, the petitioner is not entitled for anticipatory bail and he has to surrender before the concerned court and seek regular bail.

5. In the result this criminal original petition is dismissed.

sd/-

05/12/2022

/ TRUE COPY /

/01/2023

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

ER

TO

1. THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING,
KUMBAKONAM, THANJAVUR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.20472 of 2022

Date : 05/12/2022

USK/VR/SAR-IV/09.01.2023/2P/3C