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Crl.O.P.No.21310 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

**CRL OP.No.21310 of 2024**

Sadaiyan @ Sadayan,  
S/o.Periyannan

... Petitioner

Vs

**State rep. by:-**

The Inspector of Police,  
CBCID-Kallakurichi Police Station,  
Kallakurichi District.  
[Cr.No.02 of 2024]

... Respondent

**PRAYER:** - Criminal Original Petition filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail to the petitioner/Accused in Crime No.02 of 2024 on the file of the respondent police.

For Petitioner : Mr.S.Saravana Kumar

For Respondent : Mr.R.Muniyapparaj  
Assistant Public Prosecutor  
Assisted by  
Mr.M.Sylvester John



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### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 24.06.2024 for the offences punishable under sections 328, 304(ii) of IPC 4(1)(i) and 4(1-A) of Tamil Nadu Prohibition Act in Crime No.02 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the respondent police found the petitioner in illegal possession 10 numbers of 30 liter lorry tube with illicit arrack, 1 number of 60 liter lorry tube with illicit arrack, 2 numbers of 30 liter empty lorry tube and 275 numbers of 100ml sachets of illicit arrack. All the contrabands were seized by the respondent police. Hence, the case.

3. The learned counsel for the petitioner would contend that the petitioner not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. On the basis of the confession statement of co-accused, the petitioner was roped as an accused in this case. The petitioner is in judicial custody from 24.06.2024. However, the petitioner is ready to abide by any stringent conditions may be imposed by this Court. Hence, he seeks bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) would submit that the respondent police found the petitioner in illegal possession 10 numbers of 30 liter lorry tube with illicit arrack, 1 number of 60 liter lorry tube with illicit arrack, 2 numbers of 30 liter empty lorry tube ad 275 numbers of 100ml sachets of illicit arrack. All the contrabands were seized by the respondent police. The quantity of contraband involved in this case is commercial quantity. In this case, investigation not yet completed, hence, he opposed to grant bail to the petitioner.

5. Heard both side counsels and perused the materials available on record.

6. Considering the representation made on either side and considering the quantity of material involved in this case and the gravity of offence and also considering that investigation not yet completed. Hence, this Court **is not inclined to grant bail** to the petitioner at this stage.



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7. Accordingly, this Criminal Original Petition is dismissed.

**23.09.2024**

index: Yes/No  
Internet: Yes/No  
Speaking/Non Speaking order  
gvn

To

1. The Inspector of Police,  
CBCID-Kallakurichi Police Station,  
Kallakurichi District.

2. The Public Prosecutor,  
High Court Madras.



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**P.DHANABAL,J,**

gvn

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