



Crl.O.P.No.29060 of 2024

A.D.JAGADISH CHANDIRA, J.

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 23.06.2024, seeking bail in Crime No.3 of 2024 for the alleged offences punishable under Sections 328, 304(ii) of IPC r/w Sections 4(1)(i) and 4(1-A) of the Tamil Nadu Prohibition Act.

2. The case of the prosecution is that due to the consumption of methyated spirit, which was illegally manufactured by the accused, nearly 70 persons died at Kallakurichi. The respondent had seized the spurious liquor and arrested the accused, who are the reason behind this hooch tragedy. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner/A6 is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner was only running a chips shop and his shop's GST number has been misused by some other accused, whereas, the petitioner has been unnecessarily implicated in this case. He further submitted that the investigation in this case has been completed and the final report has also been filed, however, the petitioner is suffering incarceration from 23.06.2024. Hence, he prayed for grant of



bail to the petitioner, stating that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner and other accused were involved in selling spurious liquor and due to the consumption of the same, nearly 70 persons lost their lives at Kallakurichi. He also submitted that the specific overtact against the petitioner is that he had given the GST number of his shop to purchase chemical substances to prepare spurious liquor. He further submitted that now the investigation has been transferred from the file of CBCID to the Central Bureau of Investigation, therefore, if the petitioner, who is responsible for the hooch tragedy, is released on bail at this stage, there is every possibility of him absconding and not available for the further investigation.

5. Heard both sides and perused the materials available on record including the counter filed by the respondent Police.

6. Taking into consideration the facts and the submissions made by the learned Government Advocate (Criminal Side) and considering the nature and gravity of the



offences committed by the petitioner and also taking note of the fact that now the investigation has been transferred to the file of the Central Bureau of Investigation from the file of the respondent, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

21.11.2024

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