



Crl.O.P.No.29133 of 2023

C.V.KARTHIKEYAN,J.

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The petitioners/A4 & A5 in Crime No.522 of 2023, registered at the present by the respondent for the offences under Sections 4(1)(a), 4(1-A) and 24 of TN Prohibition Act r/w 420, 468 and 471 of IPC, seek anticipatory bail.

2.I had stated the words at the present since it is represented by the learned Government Advocate (Crl. Side) for the respondent that the samples taken from the opened bottles of liquor seized from the shop, in which A1 is the Manager, have been sent to forensic laboratory report and if the result indicates poisonous substance then there would be alteration of provisions of law.

3.The facts of the case as stated by the prosecution is that A1 is the Manager of TASMACH Shop No.1699 at SPB Keel Colony at Namakkal District, and A2, A3, A4 and A5, are employees in that particular shop. It is stated that the respondent had seized 40 bottles of liquor which were found opened and from which poisonous smell came out. It is also contended that there was seizure made of the properties in a mahazar in the presence of the witnesses.



4.It is stated that that if there was poison mixture added to the liquor then it would cause harm to the public and even endanger to human life.

5.The learned Government Advocate (Crl. Side) for the respondent stated that investigation is at crucial stage and the forensic lab report is awaited.

6.The learned counsel for A4 and A5 stated that they were only employees in the shop and they had no idea about any of the allegations raised. However, a counter affidavit has been filed in which it is very specifically stated that the petitioners had knowledge about the contents of the bottles and also that the manufacturers will have to be identified.

7.It had been stated that the samples have been forwarded for testing before the laboratory. It is also stated that depending on the report of the laboratory, there is a possibility of the offence being altered.

8.In view of those facts since investigation is at a very crucial stage, I am not inclined to grant any relief to the petitioners herein. Accordingly, this Criminal Original Petition stands dismissed.

24.01.2024
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