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CRL OP NO. 31615 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2024

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31615 of 2024

SAKTHIVEL

S/o.Jothi, No.550, Anna Nagar, Poongunam, Panruti,
Cuddalore - 607106.

Petitioner(s)

Vs

State Of Tamilnadu Represented By
The Inspector Of Police, Central Bureau Of Investigation,
Special Cbi-acb, 3rd Floor, Sastri Bhavan, 26, Haddows
Road, Nungambakkam, Chennai-600 006.

Respondent(s)

For Petitioner(s):

S.Prabhu
K.Selva Parthiban

For Respondent(s):

Ms.G.Vrinda
for Mr.K.Srinivasan, Special Public Prosecutor (for Cbi Cases)

ORDER

Petition seeking bail in respect of Crime No.3 of 2024 registered for the 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, is on board for consideration.

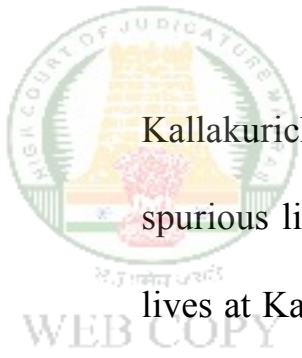


2. The incarceration of the petitioner being from 23.06.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that this is the second application for bail filed by the petitioner before this Court and his earlier bail application in CrI.O.P.No.29060 of 2024 was dismissed on 21.11.2024. He further submits that since the GST number of the petitioner's shop has been misused by some other accused, the petitioner was implicated in this case as A6. He further submits that the petitioner has nothing to do with the alleged offence and he is ready to abide by any stringent condition that may be imposed by this Court

3. Learned counsel representing the learned Special Public Prosecutor (for CBI Cases) submits that the case has recently been transferred to the file of CBI and the respondent is yet to commence the full fledged trial. She also submits that the appeal preferred by the State has also been dismissed by the Hon'ble Apex Court and therefore, she objects for grant of bail to the petitioner at this stage.

4. Heard both sides and perused the materials available on record.

5. It is seen that the case in hand is relating to the hooch tragedy at



Kallakurichi, where, the accused had involved in manufacturing and selling the spurious liquor and due to the consumption of the same, nearly 70 persons lost their lives at Kallakurichi. Further, the investigation regarding this hooch tragedy has now been transferred from the file of CBCID (Crime No.3 of 2024) to the Central Bureau of Investigation and also, the appeal preferred by the Government of Tamil Nadu before the Hon'ble Apex Court has also been dismissed on 17.12.2024.

6. Taking into consideration the above facts and the circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, the Criminal Original Petition stands dismissed.

18-12-2024

To
1. State Of Tamilnadu Represented By
The Inspector Of Police,
Central Bureau Of Investigation,
Special Cbi-acb,
3rd Floor, Sastri Bhavan,
26, Haddows Road,
Nungambakkam,
Chennai-600 006.



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A.D.JAGADISH CHANDIRA, J.

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