



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

Thursday, the Thirtieth day of April Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

WEB COPY

CRL OP (MD) No.5280 of 2020

SELVARAJ

..PETITIONER/ACCUSED No.1

Vs

STATE REP BY:: THE INSPECTOR OF POLICE
ALANGUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME No. 92 OF 2020

..RESPONDENT/COMPLAINANT

For Petitioner : M/S. V. AKILAN Advocate

For Respondent : MR. S. CHANDRA SEKAR, ADDITIONAL PUBLIC PROSECTOR

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is the first accused, who was arrested and remanded to judicial custody on 30.03.2020 for the alleged offences punishable under Sections 4(1)(aa) r/w. 4(1-A) of Tamil Nadu Prohibition Act and Section 51(b) of Disaster Management Act, in Crime No.96 of 2020, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that on 30.03.2020, the petitioner was found in possession of 360 Rum bottles.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. Due to statistical purpose the petitioner has been falsely implicated in this case. He further submitted that the petitioner was arrested on 30.03.2020 and for the past 28 days, he was in custody, and hence, he may be granted bail.



4. The learned Additional Public Prosecutor submitted that the respondent police went to the spot and arrested the petitioner and recovered 360 Rum bottles and now, the samples were sent for Forensic Lab to find out the percentage of the alcohol and illicit arrack and the report is awaiting.

5. I have heard the learned counsel on either side and perused the records.

6. On a perusal of the records, it is seen that the petitioner alleged to have sold alcohol and during the lock down period, he was found in possession of 360 Rum bottles and the sample has also been sent to the Forensic Lab and still the report has not been received. If the petitioner is released on bail, there is a possibility of doing the same business, during the lock down period is in force and the prohibitory order passed under Section 144 of Cr.P.C. also in force.

7. Considering the facts and circumstances of the case and also considering the current scenario, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this petition is dismissed.

SD
30.04.2020

TRUE COPY

SUB ASSISTANT REGISTRAR (CS II)
Madurai Bench of Madras High Court,
Madurai.

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TO

1. The Judicial Magistrate,
Alangudi, Pudukottai District.
2. Do Thro' The Chief Judicial Magistrate,
Pudukkottai.
3. The officer In Charge,
District Prison,
Pudukkottai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.

SMA SKN SAR 2
30/04/2020
3P 6C

ORDER IN
Cr1.O.P. (MD) No.5280 of 2020
30.04.2020