

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,

Vacation Sessions Judge, Theni,

**Dated this the 28<sup>th</sup> day of May 2024**

**CrI.M.P. No.179/2024**

**-In-**

**CrI.M.P. No.92/2024**

**CNR.No.TNTH00-000236-2024**

Rajendran

... Petitioner/Accused

-Versus-

State through the Inspector of Police,

Gudalur North P.S. in

Cr.No.98/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru.S.Rakesh Harshan, Learned Counsel for the petitioner and the Learned Public Prosecutor for the State and this Court passed the following:

**ORDER**

This petition has been filed by the petitioner/accused U/s.439 of Code of Criminal Procedure seeking bail.

**2. The Nitty-Gritty of the prosecution case is as follows:**

On 05.05.2024 at 06.00 P.M., when the police party was searching the coconut grove belongs to one Ganesan, Illicit arrack weighing 100 litres kept in a peapoy was found in the possession of co-accused Saravanan the petitioner arraigned as accused. On disclosure statement given by accused Saravanan. Therefore the registered against the petitioner U/s.4(1)(aaa), 4(1-A) and 4(1)(g) of TNP Act.

3. Heard both sides.

4. The points for determination is that can the petitioner be released on bail?

..2..

**Answer :**

5. The FIR and records are perused. As disclosed from the FIR, the police party found out that the accused persons no.1 and 2 were found possessing illicit arrack weighing 100 liters. Based on the disclosure statement given by the accused no.1, the petitioner was arrested by the police. The records prima facie shows that the petitioner also involved in the offence. Further the prosecution submitted that the investigation is underway and already criminal case pending against the petitioner. considering the facts that there are materials to show that the petitioner is also involved in preparing illicit arrack that too 100 litres and already numerous criminal cases are pending against the petitioner for similar offence and no change of circumstances made out after dismissing earlier bail application, the petitioner is not entitled for bail.

**In fine, the Bail petition is dismissed.**

Pronounced by me in open Court on this the 28<sup>th</sup> day of May 2024.

**Vacation Sessions Judge,  
Theni.**

**Copy to:**

The Judicial Magistrate, Uthamapalayam.