



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

Friday, the Second day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1650 of 2018

DEENA DAYALAN,

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE,
KUMBAKONAM PROHIBITION ENFORCEMENT WING,
THANJAVUR DISTRICT.
(CRIME NO.59/2018)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.M.KARUNAKARAN Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

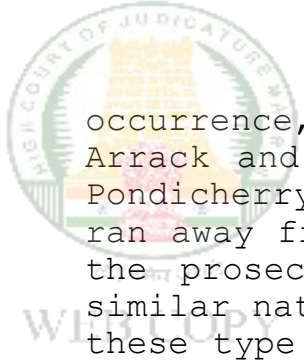
The petitioner/Sole Accused, apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(1) (aaa) and 4(1-A) of Tamilnadu Prohibition Act, in Crime No.59 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that while the police party conducted regular vehicle check up, they intercepted the INDIGO Car driven by the petitioner and found that the petitioner was in possession of 10 litres of Arrack and 480 bottles of Indian made Foreign Liquor in his car. Hence, this case has been registered against the petitioner for the above said crime.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the properties were recovered and the investigation is in progress.

5. The submissions made by the learned counsels appearing for either side are considered. It is alleged that during the time of



occurrence, the petitioner was found in possession of 10 litres of Arrack and 480 bottles of Indian made Liquor, intended to sell at Pondicherry State. After seeing the police officials, the petitioner ran away from the scene of occurrence. Apart from that according to the prosecution, the petitioner is having two previous cases in similar nature. It shows that the petitioner is regularly committing these type of offences. So, considering the number of cases pending against the petitioner and also considering the gravity of offence, custodial interrogation is necessary for completing the investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
02/02/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE,
KUMBAKONAM PROHIBITION ENFORCEMENT WING,
THANJAVUR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP(MD) No.1650 of 2018
Date :02/02/2018

SMA/RR-CSL/SAR-2/16.02.2018:2P/3c