



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

Friday, the Ninth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.2080 of 2018

VIJAY

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.
IN CR.NO. 21/2018

... RESPONDENT / COMPLAINANT

For Petitioner :M/S.K.RAJENDRAN Advocate

For Respondent :MR.K.SUYAMBULINGA BHARATHI Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

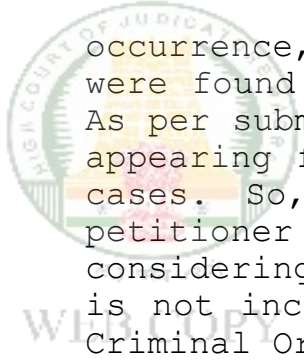
The petitioner / A1, who was arrested and remanded to judicial custody on 15.01.2018 for the offence punishable under Section 4(1) (aa), 4(1-A) of TNP Act , in Crime No.21 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and another accused were found in possession of 432 Nos. of 180 ml brandy liquor bottles and 20 Nos. of loose bottles. Hence, case has been registered against the petitioner and another accused for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 15.01.2018 onwards. Hence, he prays for bail.

4.The learned Government Advocate (Criminal Side) appearing for the State submitted that the petitioner herein is having 4 previous cases. Further added that the properties which were used during the time of occurrence have been recovered. According to him, part of the investigation is completed.

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



occurrence, the petitioner and another accused without any license were found in possession of 432 Nos. of Indian Made Foreign Liquor. As per submission made by the learned Government Advocate (Crl.Side) appearing for the State that the petitioner is having four previous cases. So, considering the number of cases pending against the petitioner reveals that the petitioner is a habitual offender. So, considering the previous antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
09/02/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
KUMBAKONAM EAST POLICE STATION, THANJAVUR DISTRICT.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2080 of 2018
Date :09/02/2018

MKV-RR-CSL-SAR 3/15.2.2018/2P-4C