

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.12261 of 2020

1.Nithiya

2.Dhachanamoorthy

3.Devaraj

... Petitioners/Accused

Vs.

The State represented by,
The Inspector of Police,
Koovathur Police Station,
Kancheepuram.

Crime No.144 of 2020

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in Crime No. 144 of 2020 on the file of the respondent police pending investigation.

For Petitioners : Mr.S.Sugendran

For Respondent : Mr.K.Prabakar

Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(aaa), 4(1)(1-A) Tamil Nadu Prohibition Act read with Section 6 & 11 Tamil Nadu Rectified Sprit Rules 2000, in Crime No. 144 of 2020, on the file of the respondent police, seek anticipatory bail.

2 The case of the prosecution is that the petitioners were found in illegal possession of 665 litres of rectified spirit. Hence, the complaint.

3 The learned counsel appearing for the petitioners would submit that petitioners are innocent persons and a false complaint has been foisted against them. He would further submit that this is the third anticipatory bail application and the earlier application was dismissed on 22.07.2020 in CrI.O.P.No.10866 of 2020. Hence, he prays to grant anticipatory bail to the petitioners.

4 The learned Additional Public Prosecutor appearing for the respondent would submit that as far as the first petitioner is concerned, there are ten previous cases of similar nature pending against him, as far as the second petitioner is concerned, there are 21 previous cases of similar nature pending against him and as far as the third petitioner is concerned there are 12 previous cases of similar nature pending against him. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5 Taking into consideration the facts and submissions made by the learned counsel and considering the previous antecedents of the petitioners and the huge quantity of rectified spirit recovered from them, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, this Criminal Original Petition stands dismissed.

-sd/-
14/08/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
THIRUKAZHUKUNDRAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
KOOVATHUR POLICE STATION,
KANCHEEPURAM.

CC to M/S. S.SUGENDRAN Advocate on payment of necessary charges

CRL OP.12261/2020

Date :14/08/2020