

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.09.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.13916 of 2020

Dhanalakshmi

... Petitioner

Vs.

State rep. By
Inspector of Police
PEW Tindivanam
Villupuram District
(Crime No.299 of 2020)

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner in Crime No.299 of 2020 on the file of the respondent police.

For Petitioner : Mr.G.Mohammed Aseef

For Respondent : Mr.Shunmugarajeswaran
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 20.08.2020 for the offence punishable under Sections 420, 468, 471 IPC r/w. Section 4(1-A), 4(1)(aaa) of TN Prohibition Act and 6 & 7 of TN Rectified Spirit Rules 2000, in Crime No.299 of 2020, seeks bail.

2. The case of the prosecution is that when the respondent police on their routine patrol, they found that the petitioner along with other accused was illegally in possession of 1440 numbers of duplicate liquor bottles each containing 180 ml., 550 numbers of empty liquor bottles and 120 bottle cap and bottle cap machine-1, three 100 Litres empty can, three numbers of 35 Litres empty can and 80 litres of Rectified spiril and 30 litres of ID Arrack.

3.The learned counsel appearing for the petitioner would submit that the petitioner is a chronic diabetic patient and taking treatment daily at Government Hospital.

4.The learned Government Advocate (Crl. Side) would vehemently oppose stating that the petitioner was very recently arrested on 20.08.2020 and having illegally found in possession of duplicate 1440 liquor bottles each containing 180 ml., 550 numbers of empty liquor bottles and 120 bottle cap and bottle cap machine-1, three 100 Litres empty can, three numbers of 35 Litres empty can and 80 litres of Rectified spiril and 30 litres of ID Arrack. He would further submit that the petitioner has got five previous cases. He would further submit that as per the submissions made by the learned Public Prosecutor before the Lower Court, the petitioner is regularly taking treatment in the Government Hospital.

5.Taking into consideration of the submissions so made by the learned Government Advocate (Crl. Side) and also considering the fact that the petitioner is having five previous cases and a habitual offender and has been very recently arrested on 20.08.2020, this Court is not inclined to grant bail to the petitioner.

6.This criminal original petition stands dismissed accordingly.

-sd/-

09/09/2020

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 OFFICER INCHARGE,
WOMEN SUB-JAIL, CUDDALORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT OF MADRAS,

3 THE INSPECTOR OF POLICE,
PEW-TINDIVANAM,
VILLUPURAM DISTRICT.

CC to M/S.G.MOHAMMED ASEEF Advocate on payment of necessary charges

CRL OP.13916/2020

Date :09/09/2020