

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.15489 of 2020

1.Gnanavel
2.Vijayakumar

... Petitioners/Accused

Vs.

The State represented by,
The Inspector of Police,
Marakkanam Police Station,
Villupuram District.
(Crime No.1729 of 2020)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with Crime No. 1729 of 2020, on the file of the respondent police.

For Petitioners : Mr.D.Ashok Kumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1-a) and 4(1-A) of Tamil Nadu Prohibition Act, 1937, in Crime No.1729 of 2020, on the file of the respondent police, seeks anticipatory bail.

2 The case of the prosecution is that on 30.08.2020 at about 14.30 hours, while the respondent police was conducting vehicle checkup, the petitioners have come with a white can containing 35 litres of ID arrack and when the respondent police tried to catch the petitioners, they fled away from the occurrence place.

3 The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in his case. Hence, he prays to grant anticipatory bail to the petitioners.

4 The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners were found in illegal possession of 10 litres of ID Arrack. He would further submit that there are five previous cases pending against the petitioners. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5 Taking into consideration the facts and submissions made by the learned counsels and also considering the fact that there are five previous cases pending against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, this Criminal Original Petition stands dismissed.

-sd/-

01/10/2020

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,
NO.II, TINDIVANAM,
VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM DISTRICT [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
MARAKKANAM POLICE STATION,
VILLUPURAM DISTRICT.

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

CRL OP.15489/2020

Date :01/10/2020