

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.10.2020

CORAM :

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

CRL.O.P.No.16859 of 2020

VISWANATHAN

... Petitioner/Sole Accused

Vs

The State Rep. By
The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruvarur District.
(Crime No.2656 of 2020)

... Respondent /Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.2656 of 2020 on the file of the Inspector of Police, Thiruthuraipoondi Police Station, Thiruvarur District.

For Petitioner : Mr.Swami Subramanian

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

ORDER

(The cases have been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 02.10.2020 for the offence punishable under Sections 4(1)(a) and 4(1-A) of TNP Act in Crime No.2656 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 02.10.2020, the petitioner was found in illegal possession of 175 nos. of TASMAL brandy. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration from 02.10.2020. Hence, he prays for grant of bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that the petitioner was found in illegal possession of 175 bottles of TASMAL liquor. He would further submit that there are five previous cases against the petitioner out of which, three cases have been registered under Prohibition Act and two other cases have been registered under IPC offence.

5.Taking into consideration the nature of offence and the fact that there are five previous cases against the petitioner and that the petitioner has been arrested recently on 02.10.2020, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed for the present.

-sd/-

28/10/2020

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 OFFICER INCHARGE,
DISTRICT PRISON, NAGAPATTINAM

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
THIRUTHURAIPOONDI POLICE STATION,
THIRUVARUR DISTRICT.

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

CRL OP.16859/2020

Date :28/10/2020

RVR 05/11/2020

सत्यमेव जयते

WEB COPY