

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.17534 of 2020

M.Arjunan

... Petitioner/Accused

Vs.

The State represented by,
The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.
(Crime No. 888 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 her arrest by the respondent police in Crime No. 888 of 2020, on the file of the respondent police.

For Petitioner : Mr.N.Sakhivel

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

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(1)(a), r/w 4(1-A) of Tamil Nadu Prohibition Act, in Crime No. 888 of 2020, on the file of the respondent, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in illegal transportation of 45 brandy bottles, each bottle containing 180 ml of Mens Club Brandy, by using two wheeler bearing registration No. TN 29 AL 3430 Honda Shine, without any valid permission. 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. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner was found in illegal transportation of 45 bottles of illicit liquor, each bottle contains 180 ml of brandy and that there are three previous cases pending against him. Hence, he oppose to grant anticipatory bail to the petitioner.

5.Taking into consideration of the facts and submissions made by the learned counsel, considering the quantity of illicit liquor involved in this case and also considering the fact that there are three previous cases pending against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

-sd/-

09/11/2020

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,
PENNAGARAM, DHARMAPURI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ERIYUR POLICE STATION,
DHARMAPURI DISTRICT.

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

CRL OP.17534/2020

Date :09/11/2020

MN-11/12/2020