

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

CrI.O.P.No.17617 of 2020

1. Dhatchanamoorthy

2. Nathiya

... Petitioners

Vs.

The State Represented by,
The Inspector of Police,
Koovathur Police Station,
Kancheepuram District.

(Cr.No.942 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioners on bail in the event of their arrest by the respondent police concerned in Crime No.942 of 2020 on the file of the respondent.

For Petitioners : M/s.M.Udayavani

For Respondent : Mr.M.Mohamed Riyaz,

Additional Public Prosecutor

ORDER

(This 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-A) of the Tamil Nadu Prohibition Act and Sections 6 & 11 of Tamil Nadu Rectified Spirit Rules Act, 2000, in Crime No.942 of 2020, on the file of the respondent police, seek anticipatory bail.

2 The case of the prosecution as per the defacto complainant is that the petitioners were in illegal possession of 840 litres of Rectified Spirit. Hence, the complaint.

3 The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of 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 840 litres of rectified spirit. He would further submit that there are 21 previous cases as against the first petitioner and there are 10 previous cases as against the second petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

5 Considering the facts and circumstances of the case and also the fact that the petitioners are habitual offenders, this Court is not inclined to grant anticipatory bail to the petitioners.

6 Accordingly, this Criminal Original Petition is dismissed.

-sd/-
10/11/2020

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 CUM DISTRICT MUNSIF AT
THIRUKALUKUNDRAM, CHENGALPET.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KOOVATHUR POLICE STATION,
KANCHEEPURAM DISTRICT.

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

CRL OP.17617/2020

Date :10/11/2020

MK:30/11/2020



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