

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.18151 of 2020

Dineshwaran

... Petitioner

Vs.

The State Represent by
Inspector of Police,
Cuddalore OT Police Station,
Cuddalore District.
(Crime No.1421 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on Bail in Crime No.1421 of 2020 for the offence punishable under Section 4(1)(aaa) and 4(1-A) of the TN Prohibition Act pending investigation on the file of the respondent police.

For Petitioner : Mr.S.C.Vishwanth

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Cr1.Side)

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 22.10.2020 for the offences punishable under Section 4(1)(aaa) and 4(1-A) of the TN Prohibition Act in Crime No.1421 of 2020, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession 120 litres of I.D. Arrack. Hence, the complaint.

3. The learned Counsel 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 22.10.2020 and the very reading of the F.I.R would show that it is a foisted case and that all the previous cases are stated in the F.I.R. Hence, he prays for grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would vehemently oppose stating that the petitioner was found in illegal possession of 120 litres of I.D. Arrack. He would further submit that the petitioner is a habitual offender against whom, there are seven previous cases from the year 2018 and that the petitioner was arrested recently on 22.10.2020.

5. Taking into account the nature of offence and the fact that the petitioner is a habitual offender against whom there are seven previous cases and that the petitioner has been arrested recently on 22.10.2020, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
19/11/2020

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 INSPECTOR OF POLICE,
CUDDALORE OT POLICE STATION,
CUDDALORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

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

CRL OP.18151/2020

Date :19/11/2020

MN-08/12/2020