

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2021

Coram

The Honourable Mrs.Justice S.KANNAMMAL

Crl.O.P.No.9219 of 2021

Prakash @ Kakka Prakash

...Petitioner

Versus

State Rep. By
The Inspector of Police,
Chunambedu Police Station,
Chengalpet District.
(Crime No.55/2021)

...Respondent

This Criminal Original Petition is filed under Section 438 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.55 of 2021 in the event of his arrest on the file of the respondent/complainant.

For Petitioner : Mr.S.Dhilipan

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offences under Section 4(1-a) r/w. 4(1-A) of Tamil Nadu Prohibition Act, 1937, in Crime No.55 of 2021 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 12.03.2021 at about 8.00 p.m, when the respondent Police went to the petitioner's house to call him for an enquiry, he was not there. It is alleged in the FIR that on 11.03.2021 at about 7.00 p.m, the respondent Police intercepted a two wheeler bearing Registration No.TN-13-D-8244 driven by the petitioner and searched the same. On searching the said two wheeler, the respondent Police has found 10 Litres of Spirit in it. Hence, they have registered a case against the petitioner in Crime No.55 of 2021.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case. He therefore prays this Court to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that he has serious objection to this petition being allowed since there are two previous cases pending against the petitioner.

5. Taking note of the facts and circumstances of the case and also considering the antecedents of the petitioner are reported to be bad, this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, this Criminal Original Petition is dismissed.

-sd/-

13/05/2021

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,
CHUNAMBEDU POLICE STATION,
CHENGALPET DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.9219/2021

Date :13/05/2021

TA-01/07/2021

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