



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2021

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

Crl. OP.No.11105 of 2021

A.K.Deepesh

.... Petitioner/Accused No.3

Vs.

State rep. By
The Inspector of Police,
Prohibition Enforcement Wing,
Dharmapuri, Dharmapuri District.
(Crime No.263 of 2021)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.263 of 2021 on the file of the respondent police.

For Petitioner : Mr.P.Puhazh Gandhi

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

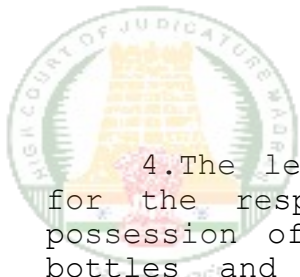
ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(aaa), r/w 4(1-A)(i) TNP Act and 468, 471, 420 read with 109 of I.P.C, in Crime No.263 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that when the respondent police was on regular checkup they found that the petitioner was in possession of 758 day night brandy bottles and also 100 empty bottles and sealing machines were found in the said place including many other empty bottles. Hence, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed for anticipatory bail to the petitioner.



4.The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioner was in possession of 758 day night brandy bottles and also 100 empty bottles and sealing machines were found in the said place including many other empty bottles. The petitioner is the habitual offender and in Kerala State also, a case was registered against the petitioner and there was one previous case pending against the petitioner.

5.Considering the submissions made by the learned Government Advocate (Criminal Side) and since the petitioner has been involved in the crime of possession of unlabeled brandy bottles and in view of the fact that the petitioner is a habitual offender against whom there was previous antecedents of having involved in one similar case, this Court is not inclined to entertain the present petition.

6.Accordingly this Criminal Original Petition is dismissed.

-sd/-
29/06/2021

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 JUDICIAL MAGISTRATE NO.II,
DHARMAPURI.

2 THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING,
DHARMAPURI, DHARMAPURI DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE OFFICER INCHARGE,
ERNAKULAM PRISON, KERALA STATE.

CC to M/S P.PUHAZH GANDHI Advocate on payment of necessary charges

CRL OP.11105/2021

Date :29/06/2021