



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 26/10/2021

PRESENT

The Hon'ble Mr. Justice B. PUGALENDHI
CRL OP (MD) .No.16226 of 2021

Kuppusamy

... Petitioner/Accused Rank Not Known

Vs.

The State Rep. by
The Inspector of Police,
Samayapuram Police Station,
Trichy.
(Crime.No.358 of 2021)

... Respondent/Complainant

For Petitioner : Mr.V.Vishnu,
Advocate
for Mr.R.V.Bharathan

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :-

For Anticipatory bail in Crime No.358 of 2021 on the file of the respondent police.

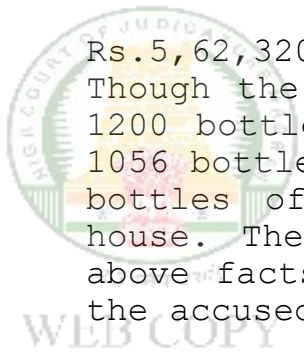
ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(1)(aaa) & 4(1-A) of TN Prohibition Act, in Crime No.358 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 20.07.2021, when the respondent police along with his personnel were on usual patrol, they received a secret information about the transport of liquor and they went to the spot of the first accused's farm in Irungalur. On seeing the respondent police, the accused persons fled away from the spot and the respondent police seized 180 liquor bottles. Hence the case has been registered.

3.The learned counsel for the petitioners submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner stating that around 4310 bottles worth about



Rs.5,62,320/- have been recovered from the house of the petitioner. Though the FIR discloses that the respondent police have recovered 1200 bottles of SNJ brand and 624 bottles of Balckpearl brand and 1056 bottles of copper brand and 470 bottles of Expres brand and 960 bottles of Mens Club brand were recovered from the petitioner's house. The petitioner has filed this petition by suppressing the above facts and stated that only 180 liquor bottles recovered from the accused.

5.Considering the facts and circumstance of the case and considering the fact that since the petitioner approached this Court without clean hands, this Court is not inclined to grant anticipatory bail to the petitioner.

6.In fine, this Criminal Original Petition stands dismissed.

sd/-
26/10/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
Samayapuram Police Station,
Trichy.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.16226 of 2021
Date :26/10/2021

MGJ/VR/SAR II(19.11.2021) 2P 3C