



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

WEB COPY

Thursday, the Seventeenth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.2609 of 2022

MANIKANDAN

[PETITIONER / ACCUSED]

Vs

STATE REP

[RESPONDENT]

THE INSPECTOR OF POLICE,
SANKARAPURAM POLICE STATION,
KALLAKURICHI DISTRICT.
CRIME NO.215 OF 2021

For Petitioner : M/S P.VAJRAVELU Advocate

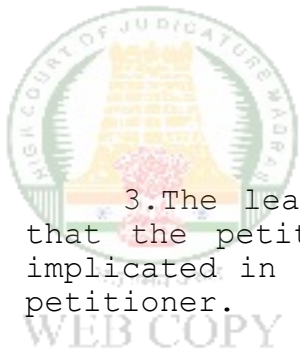
For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections 4(1) (aa), 4(1-A) of Tamilnadu Prohibition Act, 1937 in crime No.215 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 27.03.2021 at about 8.30 a.m., when the respondent police was conducting routine check up, the petitioner on seeing the respondent police, dropped a tube of 60 litres of I.D.Arrack and escaped from that place. Hence, the complaint.



3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioner.

4. Mr. S. Santhosh, learned Government Advocate (crl. side) appearing for the respondent police would submit that the petitioner is having the following 17 previous cases.

S.No.	Crime No.	Sections
1	591/21	4(1) (aaa), 4(1-A) TNP Act
2	109/20	147, 148, 294(b), 323, 324, 506(ii) IPC
3	45/20	294(b), 323, 324, 506(ii) IPC
4	377/19	4(1) (aaa), 4(1-A) TNP Act
5	146/19	4(1-A) TNP Act
6	26/19	4(1) (aaa), 4(1-A) TNP Act
7	795/19	4(1) (aaa), 4(1-A) TNP Act
8	609/18	4(1) (aaa), 4(1-A) TNP Act
9	317/18	4(1) (aaa), 4(1-A) TNP Act
10	79/18	4(1) (aaa), 4(1-A) TNP Act
11	460/17	4(1) (aaa), 4(1-A) TNP Act
12	324/17	4(1) (aaa), 4(1-A) TNP Act
13	458/16	12 of TNG Act
14	428/16	4(1) (aaa), 4(1-A) TNP Act
15	177/16	110(g) u/s 294(b), 323, 324, 506(ii) IPC
16	107/12	294(b), 323, 324, 506(ii) IPC
17	26/12	4(1) (aaa), 4(1-A) TNP Act r/w 328 IPC

And hence in such situation, if this type of petitioner is released on bail, they may try to tamper the witness and hamper the investigation.

5. The submissions made by the learned counsel on either side are considered.

6. Though the petitioner has been arrested for the offences punishable under Sections 4(1)(aa), 4(1-A) of T.N.P. Act, 1937, being the reason that he is a habitual offender and committed similar type of offences, this Court is not inclined to allow this petition.



7. Hence, this criminal original petition is dismissed.

-sd/-
17/02/2022

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This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
SANKARAPURAM POLICE STATION,
KALLAKURICHI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.2609/2022

Date :17/02/2022

JPA 22/02/2022