



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Fifteenth day of February Two Thousand Twenty Two

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PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN
CRIMINAL ORIGINAL PETITION No.3612 of 2022

KASPAR RAJA

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
PEW MAYILADUTHURAI POLICE STATION,
MAYILADUTHURAI DISTRICT.
(CRIME NO.146 OF 2022)

[RESPONDENT]

For Petitioner : M/S J.MILTON ARUL RAJENDRAN Advocate

For Respondent : M/s.G.V.Kasthuri (Additional Public Prosecutor)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 29.01.2022 for the offence punishable under Section 4(1)(aaa), 4(1)(i), 4(1-A) of Tamil Nadu Prohibition Act in Crime No.146 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 29.01.2022, the petitioner was found in possession of 120 litres of Pondicherry arrack. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 29.01.2022 onwards. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner is a habitual offender and he is having the following 19 previous cases;

Sl.N o.	Crime Number	Section
1.	1069/2020	4(1)(aaa) TNP Act



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Sl.No.	Crime Number	Section
2.	1004/2020	4(1)(aa) TNP Act
3.	819/2020	4(1)(aa) TNP Act
4.	777/2020	4(1)(aaa) TNP Act
5.	1207/2021	4(1)(aaa) TNP Act r/w 4(1-A) TNP Act
6.	1202/2021	4(1)(aa) TNP Act
7.	1313/2021	4(1)(aa) TNP Act
8.	1272/2021	4(1)(aa) TNP Act
9.	1244/2021	4(1)(aa) TNP Act
10.	1186/2020	4(1)(aa) TNP Act
11.	39/2022	4(1)(a) TNP Act
12.	652/2021	4(1)(aa) TNP Act
13.	578/2021	4(1)(aa) TNP Act
14.	557/2021	4(1)(aa) TNP Act
15.	549/2021	4(1)(a) TNP Act
16.	473/2021	4(1)(aa) TNP Act
17.	9/2021	4(1-A), 4(1)(aaa) TNP Act @ 4(1)(aaa) TNP Act
18.	889/2020	4(1)(k) TNP Act
19.	839/2020	4(1-A), 4(1)(aaa) TNP Act @ 4(1)(aaa) TNP Act

5. On considering the submissions made by the learned Additional Public Prosecutor appearing for the respondent police, it would appear that the petitioner is a habitual offender and in the said circumstances, if he is released on bail, he may try to tamper the witness and hamper the investigation. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

15/02/2022

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 OFFICER INCHARGE,
SUB JAIL, MAYILADUTHURAI

2 THE INSPECTOR OF POLICE
PEW MAYILADUTHURAI POLICE STATION,
MAYILADUTHURAI DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S J.MILTON ARUL RAJENDRAN Advocate on payment of
necessary charges SR.NO.2346

CRL OP.3612/2022

Date :15/02/2022

RVR 16/02/2022