



WEB COPY



CrI.O.P.No. 613 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 13.11.2022 for the alleged offence under Sections 4(1)(aa) and 4(1-A) of Tamil Nadu Prohibition Act in Crime No.346 of 2022 on the file of the respondent police, seeks bail.

2. The case of prosecution is that on 13.11.2022 at about 09.45 a.m., on a secret information about selling of I.D. arrack, the respondent police and Village Administrative Officer went to Sanar Street, Gangavalli, the petitioner tried to escape from there, they caught hold of him and found that he was in possession of 80 litres of I.D. Arrack without any valid permission. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioner submitted that he is no way connected with the offence and he has not committed any of offence as alleged by the respondent police. He would also submit that he has been



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falsely implicated in this case and he will abide by any condition imposed by this court. He would also submit that the petitioner has been suffering incarceration from 13.11.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that there are 30 previous case similar in nature pending against the petitioner and he is a regular offender. He would also submit that two other accused are still absconding and if he is released on bail, he would hamper the investigation and tamper the witnesses and the investigation is not yet completed. However, he would vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the gravity of offence committed by the petitioner, and also considering the fact that the petitioner is having 30 previous cases similar in nature pending against him and he is a regular offender and also the fact that two other accused are still



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absconding and considering the fact that there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

19.01.2023

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