



Crl.O.P.No.5727 of 2023

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**A.D.JAGADISH CHANDIRA, J.,**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(aaa), 4(1)(b), 4(1)(g), 4(1)(h), 4(1-A) of TN Prohibition Act and Sections 7 and 11 of the Rectified Spirit Rules 2000 and Sections 468, 472 and 420 of IPC in Crime No.118 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on secret information, the respondent police along with their police men had gone on raid within the limits of Orathi police station, Kongarai village, they had seen two lorries were standing opposite to rice mill which is owned by Selvam Chettiyar and also they heard the noise inside the rice mill. They entered into the rice mill and on search, they found that the accused were making illicit liquor. The respondent police seized hollograms, and 69 boxes containing 3302 liquor bottles. Hence the complaint.



Crl.O.P.No.5727 of 2023

WEB COPY

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been falsely implicated in this case based on the Confession Statement recorded from the arrested accused and he submitted that other than the Confession Statement, there is absolutely no material available as against the petitioner. He submitted that the petitioner is ready and willing to furnish solvent sureties and abide by any stringent condition that may be imposed on him.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner is a habitual offender and he involved in prohibition cases. He further submitted that the petitioner has got 17 previous cases similar in nature out of which, the petitioner has been convicted in 8 cases and the remaining cases are still pending. He further submitted that the investigation is in the initial stage. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



Crl.O.P.No.5727 of 2023

WEB COPY

5. Taking into account the serious nature of offence and the submissions of either sides and the petitioner has involved in 17 cases, further the investigation is in initial stage, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

**10.04.2023**

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Crl.O.P.No.5727 of 2023

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