



Crl.O.P.No.7026 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) and 4(1-A) of the Tamil Nadu Prohibition Act, 1937 in Crime No.169 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that during regular inspection/patrol conducted by the respondent police, they found that the petitioner along with other accused were in possession of 110 Liters of Pondicherry Arrack and IMFL 192 Bottles (Directors Club Brandy 90 ml 96 bottles & 180 ml 96 bottles). Hence, the complaint was registered.

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 further submitted that the petitioner is ready and willing to furnish solvent sureties and abide by any stringent condition that may be imposed on him. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner along with other accused were in possession of 110 Liters of Pondicherry Arrack and IMFL 192 Bottles (Directors Club Brandy 90 ml 96 bottles & 180 ml 96 bottles). He further submitted that the petitioner is a habitual offender and that there are thirty five previous cases similar in nature, pending against the petitioner and there is no change of circumstances. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either sides and also taking note of the fact that the petitioner is a habitual offender, against whom there are thirty five previous cases, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

05.04.2023

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