

Crl.O.P.No.22839 of 2023**C.V.KARTHIKEYAN.,J.**

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The petitioner/A11, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(1)(aaa) r/w 4(1-A)(iii) of Tamil Nadu Prohibition Act and Sections 6 and 7 of TN Rectified Sprit Rules,2000, in Crime No.358 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 06.08.2021, in the midnight, the respondent had conducted inspection and while searching the accused person in Mahindra Bolero Maxi Truck Plus, tries to abscond, while searching the vehicle, 100 canes of arrack each can contained 100 ml of arrack, totally 750 ml of arrack was seized . Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent. He has been falsely implicated in this case. Hence, the present petition has been filed seeking anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner was found in illegal possession of 750 ml of arrack. There is no previous case pending against the petitioner. Hence, he opposed for grant of anticipatory bail to the petitioner.



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5.Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondent police and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side, it is stated that the offence happened in the year 2019/2020 and the petitioner is innocent but however the very fact is that the petitioner was absconding at the time of investigation. The petitioner has to appear before the respondent Police and co-operate for the investigation and where the illicit arrack had been procured. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

19.10.2023

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