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Crl.O.P.No.26163 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 offence under Sections 4(1)(a) r/w 4(1-A)(ii) of Tamil Nadu Prohibition Act in Crime No.311 of 2023, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that when the respondent Police and his team were on their regular patrol duty, they found that the accused was in illegal possession of 21 bottles (90 ml each) of Rum. Hence the case.

3. Learned counsel appearing for the petitioner submitted that this is the third application for anticipatory bail filed by the petitioner and the earlier bail applications filed by the petitioner in Crl.O.P.Nos. 13176 & 18005 of 2023 have been dismissed by this Court vide orders dated 22.06.2023 & 09.08.2023. He also submitted that despite the dismissal



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of the earlier anticipatory bail applications, the petitioner has not been arrested so far. Hence, he filed the present petition seeking for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) for the respondent submitted that it is the case where the petitioner was found to be in illegal possession of 21 bottles (90 ml each) of Rum. He also submitted this Court, taking into consideration the fact that the petitioner is a habitual offender, had dismissed the earlier bail application. He further submitted that six previous cases of similar nature are pending as against the petitioner and also stated that there is no change of circumstances. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. The respondent has produced the list of previous cases pending against the petitioner, which are extracted hereunder :-



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<i>S.No.</i>	<i>Crime No. (Thirupathur PEW)</i>	<i>Sections</i>
1.	311/2023	4(1)(a) r/w 4(1-A)(ii) of TNP Act
2.	484/2022	4(1)(a) of TNP Act
3.	337/2022	4(1)(a) of TNP Act
4.	312/2022	4(1)(a) of TNP Act
5.	43/2022	4(1)(a) of TNP Act
6.	74/2021	4(1)(a) of TNP Act

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

7. Taking into consideration the above facts and circumstances and the submissions made by the learned Government Advocate (Crl.Side) that six previous cases of similar nature are pending against the petitioner and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.



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8. Accordingly, this Criminal Original Petition stands dismissed.

17.11.2023

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