



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2023

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.1433 of 2023

Johnson Xavier

... Petitioner/Accused No.2

-vs-

State represented by
The Inspector of Police,
Melur Prohibition Enforcement Wing,
Madurai District
(Cr.No.781 of 2022)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest by the respondent Police with respect to Cr.No.781 of 2022.

For Petitioner	: Mr.K.M.Karunakaran, Advocate
For Respondent	: Mr.A.Albert James Government Advocate (Crl.side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 420, 465, 468 and 471 IPC and Sections 4(1-A), 4(1)(aaa) of Tamil Nadu Prohibition Act, r/w Sections 5,6 of TN Rectified Spirit Rules 2000 in Crime No.781 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant is that the accused 1 and 3 were found in possession of 665 litres of ID arrack. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that the petitioner is having 17 previous cases out of which 15 cases are similar in nature and this is second anticipatory bail application and the earlier application was dismissed on 25.11.2022 and there is no change of circumstance. He prays for dismissal of this application.

5.This Court has already dismissed the petition filed by the petitioner considering the fact that the petitioner is having 17 previous cases out of which 15 cases are similar in nature. However,



CRL.O.P(MD)



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now this Court finds no change of circumstances in this and therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-

25/01/2023

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/02/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1 THE INSPECTOR OF POLICE
MELUR PROHIBITION ENFORCEMENT WING, MADURAI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.1433 of 2023

Date :25/01/2023

RS/SAR.2(14.02.2023) 2P-3C