



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2023

PRESENT

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

CRL.O.P(MD)No.2047 of 2023

WEB COPY

K.Prabu

...Petitioner/Accused No.6

-vs-

The State represented by
The Inspector of Police,
PEW Pudukottai Police Station,
Pudukottai District.
(in Cr.No.1002 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.1002 of 2022.

For Petitioner

: Mr.S.Sankar, Advocate

For Respondent

: Mr.K.Sanjai Gandhi

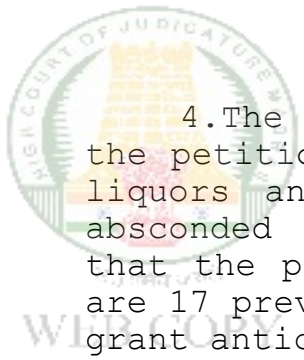
Government Advocate (Crl.side)

ORDER

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 Tamil Nadu Prohibition Act in Crime No.1002 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 on 23.10.2022, the respondent police found that the petitioner and other accused were illegally selling liquors and on seeing the police, the petitioner has run away from the scene of occurrence and the other accused have been arrested and the respondent Police have also seized 1673 liquor bottles from the back side of the house belonging to the first accused. 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 would also submit that the petitioner has not committed any offence, as alleged by the prosecution and the petitioner's name has been falsely implicated in this case, based on the confession of the arrested accused. Hence, he would pray for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.side) would submit at the petitioner and other accused have found to be illegally selling liquors and that on seeing the police. the petitioner has been absconded from the scene of occurrence. He would further submit that the petitioner is a habitual offender and against whom, there are 17 previous cases pending and hence, he would strongly oppose to grant anticipatory bail to the petitioner.

5.Taking into consideration the habituality of the petitioner in committing the crime, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-
02/02/2023

/ TRUE COPY /

/02/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CMR

TO

- 1 THE INSPECTOR OF POLICE
PEW Pudukottai Police Station,
PUDUKKOTTAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2047 of 2023
Date :02/02/2023

VA/SAR-4/10.02.2023/2P/3C