



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2023

PRESENT

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

CRL.O.P(MD)No.2228 of 2023

WEB COPY

Venkatesh @ Venkatesan

...Petitioner/Accused No.2

-vs-

The State represented by
The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
(in Cr.No.52 of 2023)

...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.52 of 2023.

For Petitioner	: Mr.S.Sathya Chidambaram, Advocate
For Respondent	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl.side)

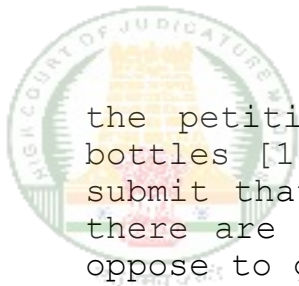
ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition Act in Crime No.52 of 2023 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 first accused was found in illegal possession of 36 bottles [180 ml] of liquor without valid permission and on seeing the police, he try to escape from the police and thereafter, he was arrested and baed on his confession, the petitioner is arrayed as A2. Hence, the case.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and the petitioner has been falsely implicated in this case based on the confession of the arrested accused. He would also submit that the petitioner has not committed any offence, as alleged by the prosecution. He would also submit that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he would seek for anticipatory bail to the petitioner.

<https://www.mhc.tr4.gov.in/> The learned Government Advocate (Crl.side) would submit that



the petitioner and other accused was found in possession of 36 bottles [180 ml] of liquor without valid permission. He would also submit that the petitioner is a habitual offender and against whom, there are six 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 and also the fact that the petitioner has six previous cases pending against him, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-
09/02/2023

/ 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
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2228 of 2023
Date :09/02/2023

VA/SBN/SAR-4/16.02.2023/2P/3C