



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 07/03/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.4361 of 2023

Suresh ... Petitioner / Accused No.1

Vs

The State, represented by
The Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.
(Crime No.18 of 2023.)

... Respondent / Complainant

For Petitioner : R. Rajamohan, Advocate

For Respondent : S.Manikandan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.18 of 2023 on the file of the Respondent Police.

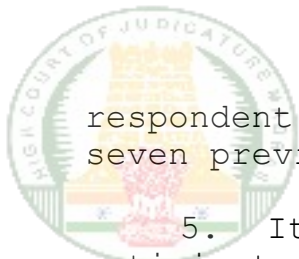
ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections u/s 4(1)(aaa) of TN Prohibition Act, in Crime No.18 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in illegal possession 735 brandy bottles. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that since he is working in the Bar attached to TASMAL shop, the petitioner's name was impleaded as first accused in this case and co-accused are released on anticipatory bail by this Court.

<https://www.mhc.tn.gov.in/> The learned Government Advocate(Crl.side) appearing for the



respondent police submitted that this petitioner has inv in seven previous case which are similar in nature.

5. It appears that this is the second application for anticipatory bail. The earlier anticipatory bail Petition filed in Crl.OP(MD)No.2188 of 2023 was dismissed against this petitioner and allowed in respect of other two accused persons on 03.02.2023 on the ground that on the ground that this petitioner is having seven previous cases to his credit and the petitioner is the habitual offender. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

6. Since there is no change of circumstance and considering the nature of offence committed by the petitioner, this Court is not inclined to entertain this Criminal Original Petition. The petitioner is directed to surrender before the concerned authority and seek regular bail. Hence this Criminal Original Petition is dismissed.

sd/-
07/03/2023

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/04/2023

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

INDU

To

1.The Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.4361 of 2023
Date :07/03/2023

ED/CG/SAR-2 (26/04/2023) 2P 3C