



CRL OP(MD). No.21244 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/11/2023

PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

CRL OP(MD). No.21244 of 2023

B.Maheshwaran,

... Petitioner/Petitioner/2nd Accused

Vs

The Inspector of Police,
Thiruppathur Town Police Station,
Sivagangai District.
(Crime No.194 of 2023).

... Respondent/Respondent/Complainant

For Petitioner : M/s.KANNAN.V,
Advocate.

For Respondent : Mr.RMS.SETHURMAN,
Additional Public Prosecutor

PRAYER :- For Anticipatory Bail in Crime no.194 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 4(1)(aaa) of Tamil Nadu Prohibition Act, 1937 in Crime No.194 of 2023 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD). No.21244 of 2023

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2. The case of the prosecution is that on 02.10.2023, when the respondent police conducted vehicle check up they found that the first accused illegally stored 912 bottles of alcohol in a godown and the petitioner herein also involved in the said crime. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that based on the confession of co-accused only the petitioner here is arrayed as accused and hence, prays to grant anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that it is a second anticipatory bail petition and the earlier petition filed by the petitioner was dismissed by this Court on 18.10.2023 in Crl.O.P(MD). No.18683 of 2023 and the investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the serious nature of allegations made against the petitioner and that there is no change of circumstances after dismissal of the earlier petition, this Court is not inclined to grant anticipatory bail to the petitioner.



CRL OP(MD). No.21244 of 2023

6. Accordingly, this Criminal Original Petition is dismissed.

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/12/2023

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

TRP

TO

1 THE INSPECTOR OF POLICE,
THIRUPPATHUR TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.V.KANNAN, Advocate (SR-16997[I] dated 28/11/2023)

ORDER

IN

CRL OP(MD) No.21244 of 2023

Date :28/11/2023

SA/SKN/SAR. /06.12.2023/3P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.