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Crl.O.P.No.28664 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner/A3 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(c) of TN Prohibition Act r/w 132 of B.N.S. Act in Crime No.1134 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the on 13.10.2024, when the respondent police was on regular patrolling duty at AE Koil Street, MGR Road Junction, the petitioner along with other accused was found in possession of 180 ml McDowell's brandy 50 bottles and 180 ml McEne brandy 25 bottles with poisonous substance illegally. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner stating that totally, 3 accused involved in this case, in which the



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petitioner is arrayed as A3. He would submit that A1 and A2 were arrested. He would submit that he is an habitual offender and there are 178 previous cases pending against the petitioner.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that the petitioner is an habitual offender and against whom 178 cases pending against him, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

18.11.2024

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