



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6479 of 2025

Mano @ Manoharan

...Petitioner/Accused

Vs.

The State Rep by
The Inspector of Police,
Prohibition Enforcement Wing,
Ulundurpet Police Station,
Kallakurichi District.
(Crime No.02 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.02 of 2025 pending investigation on the file of the respondent police.

For Petitioner	:	Mr.M.Guruprasad
For Respondent	:	Mr.Leonard Arul Joseph Selvam Government Advocate (Crl. Side)

ORDER

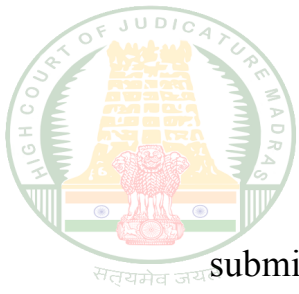
This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 16.01.2025, seeking bail in Crime No.02 of 2025 registered for the offence under Section 4(1)(aaa),



4(1)(h), 4(1)(b), 4(1)(i) & 14 A of Tamil Nadu Prohibition Act, 2024, under Section 4(1)(A) of Tamil Nadu Prohibition (Amendment) Act, 2024 r/w, Sections 318, 336, 340 and 341 of BNS 2023 {Sections 415, 463, 470 & 473 of IPC}.

2. The case of the prosecution is that the petitioner was found in illegal possession of 1200 bottles of 180 ML Express Brandy and 1200 bottles of 180 ML Pearl Brandy in a sealed place in the lorry bearing Reg. No.TN 54 Q 6753. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is in custody from 16.01.2025; that the contraband has been seized and further custody of the petitioner is not required for the purpose of investigation. Though the petitioner has been detained under Tamil Nadu Act 14 of 1982, this Court in several cases held the same would not be a ground for dismissing the bail application and relied upon the order passed by this Court in *Crl.O.P(MD) No.439 of 2025 in the case of Mohammed Tharik Anvar @ Tharik Vs. The State of Tamil Nadu*, dated 21.01.2025.



4.Per contra, the learned Government Advocate (Crl. Side) would submit that the petitioner has 15 previous cases which are either pending for investigation or pending for trial; that the petitioner has been detained under Tamil Nadu Act 14 of 1982 and the order of detention is still in force.

5. Considering the nature of allegations and the bad antecedents of the petitioner and since the petitioner has been detained under Tamil Nadu Act 14 of 1982, this Court is not inclined to grant bail to the petitioner at this stage.

6. Accordingly, this Criminal Original Petition is dismissed.

10.03.2025

rkp

Copy to:

- 1.The Inspector of Police,
Prohibition Enforcement Wing,
Ulundurpet Police Station,
Kallakurichi District.
- 2.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.6479 of 2

SUNDER MOHAN, J.

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Crl.O.P.No.6479 of 2025

10.03.2025