

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2020

CORAM:

**THE HONOURABLE MS.JUSTICE V.M.VELUMANI**

Crl.O.P. No.7377 of 2020

Hari Krishna Moorthy  
Son of Seenappa  
Barandor, Hosur  
Krishnagiri District.

..Petitioner/Accused  
(Rank not known)

Vs.

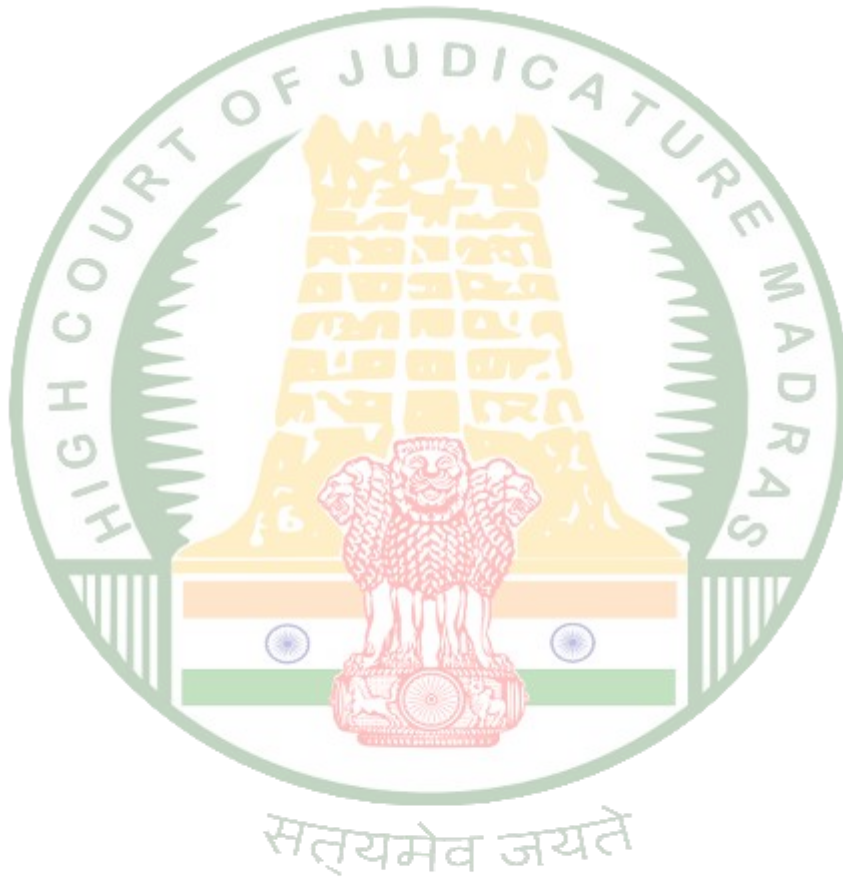
The State rep. by  
Inspector of Police  
Kelamangalam Police Station  
Krishnagiri District.  
[Crime No. 79 of 2020]

.. Respondent/Complainant

**Prayer:** Criminal Original Petition filed for anticipatory bail under Section 438 of Criminal Procedure Code.

For Petitioner : Mr. S.N.Arun Kumar

For Respondent : Mr.T.Shunmuga Rajeswaran  
Government Advocate (Crl. side)



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**ORDER**

The petitioner who apprehends arrest at the hands of the respondent police for alleged offence punishable under Section 4(1)(aaa) r/w 4(1-A) of the Tamil Nadu Prohibition Act, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was in possession of 114 litres of brandy and whisky bottles, the same were seized from the petitioner and he was charged for the offence under Section 4(1)aaa) read with 4(1-A) of the Tamil Nadu Prohibition Act.

3. Learned counsel appearing for the petitioner submitted that while the petitioner was fishing in the lake in Barandor Village, he ran away from the place on seeing the police, only out of fear. He is innocent and noway connected with the offence and prayed for granting anticipatory bail.

4. Learned Government Advocate (Crl. side) appearing for the respondent police submitted that the petitioner was found in possession of 114 litres of brandy and whisky bottles and the same were seized from the

petitioner. He has one previous case of similar nature. The petitioner has committed serious offence and as the investigation is pending, prayed for dismissal of the present petition.

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

6. Considering the fact that large quantity of liquor bottles were seized from the petitioner when all the TASMAL shops throughout Tamil Nadu were closed due to Corona epidemic, the serious nature of offence and that the investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioner.

7. In the result, the Criminal Original Petition is dismissed.

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Index : Yes / No  
Internet : Yes/No  
gsa/rg

30.04.2020

**V.M.VELUMANI, J.,**

gsa/rg

To

1.The Inspector of Police  
Kelamangalam Police Station  
Krishnagiri District.

2.The Public Prosecutor,  
High Court, Madras.



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