



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

Thursday, the Twenty First day of July Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.12402 of 2016

BENNET @ NANUTHOONKEY,

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
KALIYAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.369/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.C.HEROLD SINGH Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 353, 307, 379 IPC, Section 4(1)(1A), 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 and Section 36(A) of Mines and Minerals (Development and Regulation) Rules, in Crime No.369 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that at the time of vehicle check up, the petitioner was found in possession of plastic bags, having river sand in his car and he attacked the de facto complainant and abused him in filthy language. On complaint, case has been registered.

3.The case of the petitioner is that for carrying sand in a car, there is no necessity to have document and the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in this case and prays for anticipatory bail in favour of the petitioner.

4.The learned Government Advocate (Crl.side) submitted that the petitioner is having 8 previous cases, which are similar in nature



and if anticipatory is granted, he will again indulge in similar offence.

5. Considering the nature of allegations and the contention of the learned Government Advocate (Crl.side) that the petitioner has already involved in 8 previous cases, this Court is not inclined to grant Anticipatory Bail. Accordingly, this petition is dismissed.

sd/-
21/07/2016

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

TO

1 THE INSPECTOR OF POLICE,
KALIYAKKAVILAI POLICE STATION, KANYAKUMARI DISTRICT.

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

+1. CC to M/S S.C.HEROLD SINGH Advocate SR.No.38558

ORDER
IN
CRL OP(MD) No.12402 of 2016
Date :21/07/2016

nbj
SH/GSV-PM/SAR-I:25.07.2016:2P/4C