



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

Friday, the Fifth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13324 of 2016

G.ARUMUGAM

... PETITIONER/ACCUSED No.2

Vs

THE INSPECTOR OF POLICE,
MURAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT.
CR. NO.158/2016

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S M.M.MANIVELPANDIAN, 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 Accused No.2, apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC and Section 21(1) Mines and Minerals (Development and Regulation) Act, in Crime No.158 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 22.07.2016 at about 7.00 a.m., the petitioner/A2 and the 1st accused loaded sand in a lorry, when the defacto complainant came to the place along with police officials, the petitioner escaped and the 1st accused was arrested. As per the confession of the 1st accused, the petitioner's name has falsely implicated in this case.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution. The petitioner is the owner of the vehicle and the 1st accused is working as a driver. The petitioner has nothing to do with the alleged occurrence.

4.The learned Government Advocate (Criminal side) submitted that the the petitioner has 8 previous cases for the similar nature of offences and the petitioner is also a history-sheeter and prayed for dismissal of the petition.

5.Considering the serious nature of allegations against the petitioner and also considering the fact that the petitioner has 8



previous cases and he is a history-sheeter, this court is not inclined to grant anticipatory bail to the petitioner and accordingly, this petition is dismissed.

sd/-
05/08/2016

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/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
MURAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+ 1 CC TO MR.M.M.MANIVELPANDIAN, ADVOCATE IN SR No. 43095

ORDER
IN
CRL OP(MD) No.13324 of 2016
Date :05/08/2016

PJL
TE/PV-MPA/SAR-III : 19/08/2016 : 2P/4C