

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Fifth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.26585 of 2018

1 PRASANTH  
2 RABORT

[ PETITIONERS / ACCUSED ]

Vs

STATE REP.BY,  
THE SUB INSPECTOR OF POLICE,  
THIRUVALLUR TALUK POLICE STATION,  
THIRUVALLUR DISTRICT.  
CR.NO.428 OF 2018.

[ RESPONDENT ]

For Petitioner : M/S.R.SASIKUMAR Advocate

For Respondent : MR.M.MOHAMED RIYAZ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379, 430 of IPC r/w. Section 21(1) of Mines and Minerals Act in Crime No.428 of 2018, seeks anticipatory bail.

2. Heard both sides.

3. Totally there are six accused in this case and the petitioner is arrayed as A1. The case of the prosecution is that when the respondent police and his subordinates were conducting raid for prohibition of sand theft, the petitioner and others were found transporting one unit of river sand in a Mini Van illegally. The respondent police seized the vehicle and found one unit of sand. Hence, a case has been registered by the respondent police.

4. The learned counsel for the petitioner would submit that the petitioner is the owner of the vehicle. He would further submit that the co-accused was granted anticipatory bail by this Court in CrI.O.P.No.24099 of 2018. Hence, he prays for grant of anticipatory bail to the petitioner.

5. The learned Additional Public Prosecutor would submit that the petitioner is involved in three previous cases. He would further submit that considering the gravity of the offence, earlier petition filed by the petitioner seeking for anticipatory bail was dismissed by this Court 16.10.2018.

6. This Court finds no change in circumstances in this case and therefore, there is no ground to entertain this petition. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

05/12/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

2 THE SUB INSPECTOR OF POLICE,  
THIRUVALLUR TALUK POLICE STATION,  
THIRUVALLUR DISTRICT.

CC to M/S.R.SASIKUMAR Advocate on payment of necessary charges

CRL OP.26585/2018

Date :05/12/2018

MK:12/12/2018

WEB COPY