



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

Friday, the Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.126 of 2018

RAVICHANDRAN

... PETITIONER /2nd ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.482 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.VENKATESH Advocate

For Respondent : Mr. K.S.DURAIPANDIAN Additional Public Prosecutor

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

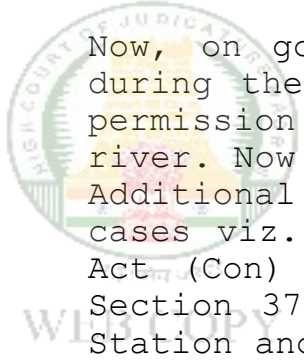
ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC, in Crime No.482 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 24.12.2017, on secret information, when the police personnel went to Nambiyaru, they found that the petitioner has illegally transported $\frac{3}{4}$ unit of sand through Tipper Lorry without any valid permission. Based on the complaint, case has been registered for the above said offence.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent on instructions, would submit that the petitioner is having four previous cases and the investigation is still pending. He also submitted the list of cases pending against the petitioner before this Court.



Now, on going through the facts of the case, it is alleged that during the time of occurrence, the petitioner without getting any permission from the appropriate authority, taken away sand from the river. Now on going through the particulars submitted by the learned Additional Public Prosecutor, the petitioner is having four previous cases viz., (i) Crime No.288/16 under Section 379 IPC & 21(1) MMDR Act (Con) at Vallioor Police Station, (ii) Crime No.330/14 under Section 379 IPC and 3 of TNPPDL Act(NTF) at Thisaiyanvilai Police Station and (iii) Crime No.119/15 under Section 379 of IPC (P.T) and (iv) Crime No.160/17 under Section 110 Cr.P.C.(NTF) at N.Vijayanarayanam Police Station.

6. Considering the number of cases pending against the petitioner and as well as the nature of offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
05/01/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

JAM/10/01/2018/CM-VR/ SAR 1/ 2p-3c

ORDER
IN
CRL OP(MD) No.126 of 2018
Date :05/01/2018