



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

Thursday, the First day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1514 of 2018

1 IMAN

2 RAJKUMAR

... PETITIONERS / ACCUSED NO.5&6

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KURUMBUR POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO.143 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioners : M/S.T.INDRACHITHU Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/A-5 & A-6, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 147, 294(b), 353, 506(ii) and 379 I.P.C., in Crime No.143 of 2017, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that on 04.10.2018, while the defacto complainant, who is the Sub Inspector of Police, in a routine vehicle check up, he found that the accused persons had illegally transported river sand by using Mahendra Mini Van bearing Registration No.TN-69-AR-2394 and on seeing the police party, the accused persons ran away from the place of occurrence.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have been falsely implicated, they have not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Criminal Side) appearing for the respondent police submitted that the stolen properties as well as the vehicles, which was used for transportation of sand, illegally, has been recovered. According to him, investigation is still pending.



5. Upon considering the arguments advanced by either side, it is alleged that during the time of occurrence, the petitioners herein are trying to commit the theft of river sand, when the same was questioned by the defacto complainant, who is the Sub Inspector of Police, the petitioners herein are all threatened the defacto complainant. So, the attitude of the petitioner clearly reveals that the petitioners are taking law in their own hand and committed the offence. Therefore, considering the nature of offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-
01/02/2018

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE
KURUMBUR POLICE STATION, THOOTHUKUDI DISTRICT

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

+1. CC to M/S.T.INDRACHITHU Advocate SR.No.1734

MSA
GJM/RR/SAR-3-7.2.18-2P-4C

ORDER
IN
CRL OP(MD) No.1514 of 2018
Date :01/02/2018