



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

Tuesday, the Twentieth day of February Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1770 of 2018

RANJITH

... PETITIONER/ACCUSED No.2

Vs

STATE REP BY
THE INSPECTOR OF POLICE
KODAMKULAM POLICE STATION,
TIRUNELVELI DISTRICT,
CRIME NO.327/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.R.ANBARASU Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.2, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 294(b), 379 and 506(ii) of IPC., in Crime No.327 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the lessee of the land to the extent of 1 ½ acres belonging to the Thiruvavadhuthurai Aatheenam. On 06.10.2017, when the defacto complainant and his son found that the petitioner and other accused illegally taken away sand from the above land by using JCB and Tipper Lorry. On seeing them, the accused escaped from the place of occurrence. Thereafter, it was found that already 100 units of sand was taken away from the said place. Hence, the case has been registered against the accused persons for the above said incident.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the investigation is in progress.



5. The submissions made by the learned counsels appearing for either side are considered. It is alleged that during the time of occurrence, the petitioner and other accused made criminal intimidation and committed the offence. Further, at the time of occurrence, the other accused in this case attempted to run into the the defacto complainant with the four wheeler in the occurrence place. Previous to the alleged occurrence, nearly 100 units of sand was stolen away. So, the petitioner is having the habit of threatening the officials, when they are doing their duty. So, considering the position of the petitioners, this Court came to the conclusion that if these type of petitioners are released on anticipatory bail, there may be a chance for tampering the witness and hampering the investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
20/02/2018

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

TO

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

+1. CC to M/S.S.R.ANBARASU Advocate SR.No.2776

ORDER
IN
CRL OP(MD) No.1770 of 2018
Date :20/02/2018

SMA/CM-VR/SAR-3/05.03.2018:2P/4C