



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

Thursday, the Fifteenth day of February Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.2376 of 2018

1 RAMESH
2 VIGNESH

... PETITIONERS/ACCUSED No.2 & 3

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
E.PUDUR POLICE STATION,
TRICHY DISTRICT,
CRIME NO.75 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.K.SIVABALAN 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 petitioners, who are arrayed as accused nos.2 and 3, apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 353 and 379 of IPC, in Crime No.75 of 2018, seek anticipatory bail.

2.The case of the prosecution is that when the respondent Police was conducted ride on 10.01.2018, the petitioners are alleged to have transported one unit of sand, worth about Rs.1,000/-, by using Tractor bearing Regn.No.TN-19-J-9834. Hence, on complaint, a case has been registered against the petitioners.

3.The learned counsel appearing for the petitioners would submit that the petitioners are an innocent persons and they did not commit any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) appearing for the State would submit that the property which was used for transporting the sand viz., Tractor is not yet recovered and the investigation of the case is pending.



5. The submissions made by the learned counsel appearing on either side are considered.

6. It is alleged, during the time of occurrence, the petitioners and two other accused without getting any permission from the appropriate authority take the river sand, by using Tractor bearing Regn. No. TN-19-J-9834. As of now, the property which was used viz., Tractor is not recovered. So, in order to complete the investigation, the custodial interrogation of the petitioners is necessary. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-

15/02/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
E.PUDUR POLICE STATION, TRICHY DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER

IN

CRL OP (MD) No.2376 of 2018

Date :15/02/2018

SMA/PM-PN/SAR-4/26.02.2018:2P/3C