



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

Friday, the Twelfth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.249 of 2018

SATHEESH KUMAR

... PETITIONER / ACCUSED (SOLE)

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION,
CR. NO. 534/2017,
THENI DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : MR.J.SENTHIL KUMAR Advocate

For Respondent : Mr.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

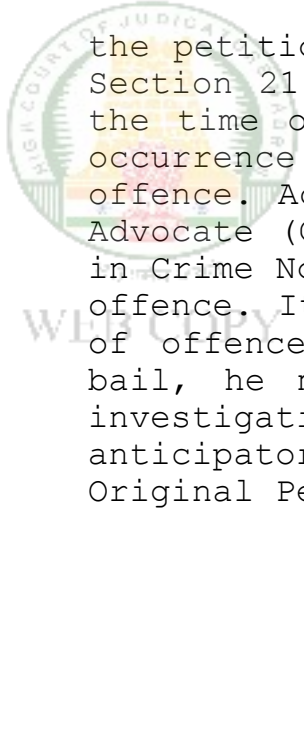
ORDER : The Court Made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC., and Section 21(1) of Mines and Minerals Act, in Crime No.534 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner illegally transported river sand using a vehicle without obtaining any valid permission from the appropriate authority. Hence, the present complaint has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate(Crl.side) appearing for the State submitted that the petitioner transported river sand through the vehicle without any valid permission and on seeing the police, the petitioner ran away from the place of occurrence leaving the vehicle. He further submitted that the investigation is still pending.



the petitioner for the alleged offence under Section 379 of IPC and Section 21(1) of Mines and Minerals Act. It is alleged that during the time of occurrence, the petitioner ran away from the scene of occurrence leaving the vehicle, which was used for the commission of offence. According to the submission made by the learned Government Advocate (Criminal side), the petitioner is having one another case in Crime No.364 of 2017 of Veerapandi Police Station for the similar offence. It shows that the petitioner regularly committed this type of offence. Therefore, if the petitioner is granted anticipatory bail, he may be tried to tamper the evidence 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/-
12/01/2018

/ TRUE COPY /

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

TO

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

JAM/19/01/2018/RR/ SAR 3/ 2P-3C

ORDER
IN
CRL OP(MD) No.249 of 2018
Date :12/01/2018