



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

Thursday, the Twenty Second day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.2583 of 2018

SURESH @ SURESH BABU

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
SIKKAL POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.16/2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

For Respondent : M/S.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 petitioner, who is arrayed as sole accused, apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 430, 379, 506(i) of IPC and Section 3 of TNPPDL Act, registered in Crime No.16 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the petitioner damaged the Government poramboke land which was situated at Sikkal and he taken away the sand. When the defacto complainant questioned the same he threatened the defacto complainant with dire consequences. Hence, the defacto complainant lodged the complaint against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case. He has not committed any offence as alleged by the prosecution and he is in no way connected with the offences, hence he pleads for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl. Side) submitted that the investigation is still pending. When the defacto complainant/Village Administrative Officer trying to prevent the petitioner, the petitioner tries to dash the vehicle on the defacto complainant.

5.The submissions made by the counsel appearing on either side are considered. It is alleged that during the time of occurrence the petitioner being the sole accused stolen away the river sand by using the Tipper lorry which was not having any registration number. As of now, the said lorry was not recovered. Considering the facts and circumstances of the case, for completing the investigation recovery of Tipper lorry is necessary, for which custodial interrogation is necessary. If anticipatory bail is granted in favour of the petitioner the process of investigation will be prejudiced. Accordingly, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this criminal original petition is dismissed.

sd/-
22/02/2018

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

TO

- 1 THE INSPECTOR OF POLICE,
SIKKAL POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.2583 of 2018
Date :22/02/2018

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