



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

Tuesday, the Twenty Seventh day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.4069 of 2018

SOOSAIRAJ @ SENTHIL

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
IN CR.NO.48 OF 2018,
SIVAGANGAI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.MURALIKUMAR 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 :-

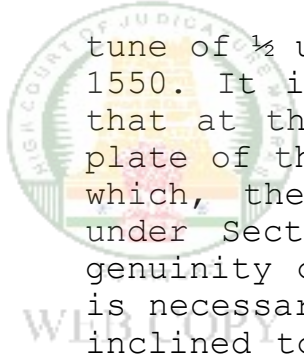
The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 379 I.P.C., and Section 21(1) of Mines and Minerals Development and Regulation Act, 1957, in Crime No.48 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that when the defacto complainant, who is the Inspector of Police was in patrol duty, at that time, he found that the petitioner herein had transported the half unit of river sand by using the Tractor. Hence, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated, further added that he has not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Criminal Side) appearing for the State submitted that the investigation is still pending.

5.The submissions made by the learned counsel appearing on either side are considered. It is alleged, during the time of occurrence, the petitioner herein stolen away the river sand to the



tune of ½ unit by using the Tractor bearing Registration No.TN-59-V-1550. It is contended by the learned Government Advocate(Crl.Side) that at the time of occurrence, the petitioner changed the number plate of the Tractor as TN-55-V-1550 and committed the offence, for which, the case has been registered for the offences punishable under Section 468 I.P.C., also. Thereby, in order to verify the genuinity of the vehicle, custodial interrogation of the petitioner is necessary for completing the investigation. So, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-
27/03/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.A.MURALIKUMAR Advocate SR.No.5161

ORDER
IN
CRL OP(MD) No.4069 of 2018
Date :27/03/2018

MKV-CM-VR-SAR 4/2.4.2018/2P-4C