



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7535 of 2018

PATCHAIMAL ACHUTHAN @ PATCHAMMAL ACHUTHAN

... PETITIONER / 1st ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
VILATHIKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
IN CRIME NO.44 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.NIRMAL KUMAR 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 :-

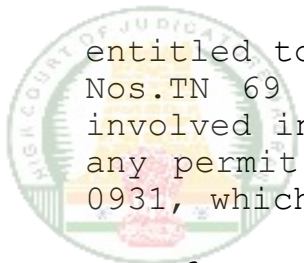
The case of the prosecution is that on 10.04.2018, when the Balamurugan / Village Administrative Officer / de facto complainant along with his Assistant one Anita and the respondent police was conducting vehicle check up, they found a tipper lorry bearing registration No.TN 28 AW 6202 and JCB bearing registration No.TN 96 0931 with a sand and the accused on seeing the de facto complainant fled away from the scene of occurrence.

2.On the side of the petitioner, it is stated that the petitioner is having valid permit to transport the sand and the permit is valid till 24.04.2018 and the occurrence is only on 10.04.2018 and prayed the petitioner to be released on bail.

3.On the side of the respondent, it is stated that the petitioner is the first accused in this case and two previous cases are pending against the petitioner under Sections 302 and 387 IPC and objected to release the petitioner on bail.

4.Records perused.

5.It is seen from the additional typed set of papers filed by the petitioner that permit is issued in favour of the petitioner in permit No.33 on 04.04.2018. As per the permit, the petitioner is



entitled to transport the sand in vehicle lorry bearing registration Nos.TN 69 AX 5103, TN 69 7040 and TN 67 2916. But the vehicle involved in this case is a lorry TN 28 AW 6202, which is not having any permit. Another vehicle involved in this case is a JCB TN 96 0931, which is also not permitted to transport the sand.

6. In the above circumstances, this Court is not inclined to release the petitioner on bail. Hence, this Criminal Original Petition is dismissed.

sd/-
09/05/2018

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
VILATHIKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.V.NIRMAL KUMAR Advocate SR.No.8374

ORDER
IN
CRL OP(MD) No.7535 of 2018
Date :09/05/2018

MS/CM/VK/10.05.2018/2P.4C