



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.7650 of 2018

SIVACHANTHIRAN

... PETITIONER /1st ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
VILAMPATTI POLICE STATION,
VILAMPATTI, DINDIGUL DISTRICT.
CRIME NO.49/2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.SELVARAJ 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 apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 379 (sand theft) of IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act, in Crime No.49 of 2018 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that A2 is said to have transported half unit of river sand illegally, by using Bolero Van bearing Regn. No.TN 57 AK 6086. When A2 was intercepted, he confessed that on instruction from A1, he had taken the sand from the Vaigai river bed near Vilampatti. On complaint, a case has been registered against the petitioner and A2.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police on instructions would submit that there are two accused in this case and A1 is having one previous case in Crime No.6 of 2018 for the same type of offences. He further submitted that the sand was seized along with Bolero Van and the investigation is still pending.

5.The learned counsel for the petitioner submitted the facts and circumstances of the case and also taking note of the fact that the Bolero Van was seized by the respondent Police and also considering the fact that A2 was arrested



and he is in custody and the petitioner is also having one previous case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed.

sd/-
09/05/2018

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/ TRUE COPY /

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

TO

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

ORDER
IN
CRL OP(MD) No.7650 of 2018
Date :09/05/2018

MS/PN/ASVM/14.05.2018/2P.3C