



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

Wednesday, the Fifth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15859 of 2018

SURESH

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
KODNAKULAM POLICE STATION,
TIRUNELVELI DISTRICT.

(Crime No. NO.157 OF 2018) ... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.PALANI VELAYUTHAM Advocate

For Respondent : MRS. M. ANANTHA DEVI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 (Sand Theft) IPC, in Crime No.157 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 25.05.2018, petitioner and other had illegally transported the river sand by a vehicle bearing Reg.No.TN-74-7557. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the quantity of sand involved is one unit and the same was recovered. He further submitted the petitioner is having three previous cases similar in nature.



5. Taking note of the facts and circumstances of the case and the petitioner is having three previous similar in nature, this Court is not inclined to grant of anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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sd/-
05/09/2018

/ TRUE COPY /

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

TO

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

ORDER
IN
CRL OP (MD) No.15859 of 2018
Date :05/09/2018

MSI/PN/SAR-II/18.09.2018-2P/3C