



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8871 of 2019

1.Suresh
2.Muthu
3.Pavunpandi
4.Dharmarajan

... Petitioners/Accused
Rank A3 to A6

Vs

State represented by
The Sub Inspector of Police,
Saptur Police Station,
Madurai District.
Crime No.86 of 2019

... Respondent/Complainant

For Petitioners: M/s.R.Sundar,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.86 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC r/w 4 (1) A, 21 (v) of Mines and minerals Act, Crime No.86 of 2019, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that the first petitioner has got permit from the Tahsildar, Peraiyur, for taking soil from Kuppammal Samuthiram Rammal to his land situated in S.No.14/6B, 14/7c, 14/8, 14/6c, 14/7A, 14/7B, Athipatti Village. But, the respondent police has



wrongly registered a case against the petitioner and his employees. He also produced a copy of the permit said to have been issued by the Tahsildar, Peraiyur on 26.06.2019, and therefore, he prayed anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent has submitted that the first petitioner was having a permit for taking soil only from Kuppammal Samuthiram Kanmai, whereas by using the said permit, the petitioners have taken soil at Ethilamalai Adivaram . Therefore, he strongly opposed this petition.

5.A perusal of the permit shows that permit was given by the Tahsildar to the first petitioner for taking soil from Kuppammal Samuthiram Kanmai. But, the FIR shows that the petitioners have taken soil from Ethilamalai Adivaram. Therefore, the contentions of the petitioners that they got permit for taking soil cannot be accepted. For taking soil from Ethilamalai Adivaram, the petitioners have not produced any permit. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this petition is dismissed.

sd/-
27/06/2019

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

TO

- 1.The Sub Inspector of Police,
Saptur Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.8871 of 2019
Date : 27/06/2019

TK/MMS/SAR.2/09.07.2019/2P/3C