



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.6998 of 2020

M.Prabakaran

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.
Crime No.117 of 2020

... Respondent/Complainant

For Petitioner : M/s.B.N.Raja Mohamed,
Advocate.
For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.117 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused apprehending arrest at the hands of the respondent police for the offence punishable under Section 379 of I.P.C. and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.117 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported five units of river sand without any valid permission. When the police party waylaid the petitioner's lorry, the petitioner without stopping the lorry and he unloaded the sand in front of his house and escaped from the scene of occurrence. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the lorry is now belonging to the petitioner and the RC book also stands in the name of someone.



4.The learned Government Advocate (Crl.Side) appearing for the State would submit that already the petitioner has entered into an agreement with regard to sale of the lorry. The custody of the petitioner's lorry is yet to be seized.

5.Considering the facts and circumstances of the case and also considering the fact that the custody of the petitioner's lorry is yet to be seized, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition stands dismissed.

sd/-
17/08/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
PERAIYUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6998 of 2020
Date :17/08/2020

MS/AKM/SAR-3/24.08.2020/2P.3C