



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.7910 of 2020

Moihdeen

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Thalamuthunagar Police Station,
Thoothukudi District.
Crime No.3/2020)

... 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. 03 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 9, 39 (3), 51 r/w 51 of Wild Life Protection Act, 2002 in Crime No.3 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in possession of 800 Kgs of Sea Cucumber to export the same to China. Hence, a complaint has been registered.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

4. The learned counsel appearing for the petitioner would submit that one of the co-accused has already granted bail by this Court and hence, change of circumstances, seeks anticipatory bail to the petitioner.



5. The learned Government Advocate (criminal side) appearing for the respondent police, on instructions, submitted that this is third bail application. He further submitted that the petitioner is a habitual offender who is already having Three previous cases.

6. Considering rival submissions and the perused the material documents available on record, this petitioner is a habitual offender having three previous cases this Court is not inclined to grant anticipatory bail and hence, no merits in the Criminal Original Petition and the same is liable to be dismissed.

7. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
29/07/2020

/ 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,
THALAMUTHUNAGAR POLICE STATION,
THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7910 of 2020
Date :29/07/2020

MS/VR/SAR-2/05.08.2020/2P.3C