



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7975 of 2020

1. Saravanan
2. Kaliyamoorthy

... Petitioners/Accused 1 & 3

Vs

The State Rep. by
The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
Crime No. 1040 of 2020.

... Respondent/Complainant

For Petitioners : M/s.K.M.Karunakaran,
Advocate.

For Respondent : Mr.K. Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

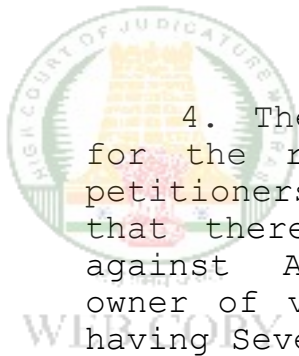
PRAYER :- For Anticipatory Bail in Crime No.1040 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offence punishable under section 379 of I.P.C. r/w Section 21(4) of Tamil Nadu Mines and Minerals Development and Regulation Act, in Crime No.1040 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners said to have illegally transported Two units of river sand by using Tipper Lorry. Hence, a complaint has been registered.

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



4. The learned Government Advocate (criminal side) appearing for the respondent police, on instructions, submitted that the petitioners herein are habitual offenders. He further submitted that there are Six previous cases of similar offence pending against A-1 and there is no previous case against A-3 who is the owner of vehicle. He further submitted that the co-accused/A-2 is having Seven previous cases.

5. Considering the submissions made by the learned Government Advocate (criminal side), this Court is not inclined to grant anticipatory bail to the petitioners, as they are habitual offenders and hence, the Criminal Original Petition is liable to be dismissed.

6. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
30/07/2020

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/ /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,
AMMAPETTAI POLICE STATION,
THANJAVUR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7975 of 2020
Date :30/07/2020

KSA
TE/VR/SAR-II : 05/08/2020 : 2P/3C