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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2020

PRESENT

The Ho'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.9388 of 2020

Ramesh ... Petitioner/Accused No.2

Vs

The State rep. by
The Inspector of Police,
Ammapet Police Station,
Thanjavur District.
Crime No. 1160 of 2020. ... Respondent/Complainant

For Petitioner : M/s.U.Umamaheswaran,
Advocate.
For Respondent : Mr.K. Suyambulinga Bharathi,
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 1160 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A-2 apprehending arrest at the hands of the respondent police for the offences punishable under section 379 of I.P.C. and Section 21(4) of Mines and Minerals (Development and Regulations) Act, 1957, in Crime No.1160 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner said to have illegally transported One unit river sand. Hence, a complaint has been registered.

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

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4.The learned counsel appearing for the petitioner submitted

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that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner is a habitual offender and that there are five previous cases pending against the petitioner of similar in nature.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioner is a habitual offender and that there are five previous cases pending against the petitioner of similar in nature, hence, I am not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed.

sd/-
07/09/2020

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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,
   AMMAPET POLICE STATION,
   THANJAVUR DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
   MADURAI BENCH OF MADRAS HIGH COURT,
   MADURAI.

ORDER
IN
CRL OP(MD) No.9388 of 2020
Date :07/09/2020

KSA
SRS/ VR/ SAR-II/ 10.09.2020/ 2P/3C

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