



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 07/09/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.9395 of 2020

Neerathulingam

... Petitioner/Sole Accused

Vs

The State rep. by  
The Sub-Inspector of Police,  
Rajapalayam North Police Station,  
Virudhunagar District  
In Crime No.544 of 2020.

... Respondent/Complainant

For Petitioner : M/s.M.Jothi Basu,  
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. 544 of 2020 on the file of the respondent police

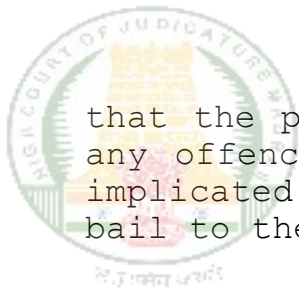
**ORDER :** The Court made the following order :-

The petitioner is a sole accused apprehending arrest at the hands of the respondent police for the offences punishable under section 379 of I.P.C. r/w 4(1)(1A), 21(1) of Mines and Minerals (Development and Regulations) Act, 1957, in Crime No.544 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 1/4 unit of river sand by using bullock cart. 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.

<https://hcservices.courts.gov.in/hcservices/> 4.The learned counsel appearing for the petitioner submitted



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 Three 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 three 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

/ 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 SUB-INSPECTOR OF POLICE,  
RAJAPALAYAM NORTH POLICE STATION,  
VIRUDHUNAGAR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.9395 of 2020  
Date :07/09/2020

KSA

<https://hccs.ecourts.gov.in/Reserve/> 10.09.2020/ 2P/3C