



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/09/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.9634 of 2020

1. Gurusamy
2. Subburaj

... Petitioners/Accused No.1&2

Vs

The State rep. by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
Crime No.108/2020.

... Respondent/Complainant

For Petitioners: Mr.V.Angusamy, 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.108/2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as Accused No.1 and 2, apprehending arrest at the hands of the respondent police for the offences punishable under section 379 of I.P.C., r/w Section 21(1) of Mines and Minerals (Development and Regulations) Act, 1957, in Crime No.108 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 half unit of river sand by using two Bullock Carts. Hence, a complaint has been registered.

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

4.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not



committed any offence as alleged by the prosecution and they have 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 first petitioner is having 101 previous cases of similar in nature and the second petitioner is having 14 previous cases of similar in nature.

6.Considering the facts and circumstances of the case and also considering the fact that the first petitioner is having 101 previous cases of similar in nature and the second petitioner is having 14 previous cases of similar in nature and a habitual offender, I am not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed.

sd/-
11/09/2020

/ 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 INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI..

ORDER
IN
CRL OP(MD) No.9634 of 2020
Date :11/09/2020

VS
SRS/ JC/ SAR-I/ 16.09.2020/ 2P/3C

<https://hcservices.ecourts.gov.in/hcservices/>