



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 15/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.9765 of 2020

1.Muthukumar
2.Rajkumar

... Petitioners/Accused
Rank Not Known

Vs

The State rep.by
The Inspector of Police,
Athoor Police Station,
Thoothukudi District.
Crime No.189 of 2020

... Respondent/Complainant

For Petitioners : M/s.M.M.Manivelpandian,
Advocate.

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

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

PRAYER :-

For an Anticipatory Bail in Crime No.189 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Rank Not Known, apprehending arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Crime No.189 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners have illegally transported six units of sand. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioners are owner-cum-driver of the lorry and they are innocent and they have nothing to do with the alleged offence.

4.The learned Government Advocate (Crl. Side) appearing for the State would submit that the petitioners are habitual offender and the first petitioner is having three previous cases and the second



petitioner is having four previous cases. He would further submit that the total quantity of sand involved is six units and the same was recovered by the respondent police.

5.Considering the facts and circumstances of case and also considering the fact that the petitioners are habitual offender and the first petitioner is having three previous cases and the second petitioner is having four previous cases, I am not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition stands dismissed.

sd/-
15/09/2020

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

ORDER
IN
CRL OP(MD) No.9765 of 2020
Date :15/09/2020

SJI
TK/PN/SAR.4/17.09.2020/2P/3C