



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

Date : 01/10/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.10237 of 2020

1. Marimuthu

2. Madasamy

... Petitioners/Accused Nos.10 & 11

Vs

State through

The Inspector of Police,
Ettayapuram Police Station,
Thoothukudi District.

Crime No. 239 of 2020.

... Respondent/Complainant

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

For Respondent : Mr.R. Saravana Kumar,
Government Advocate (Crl.Side)

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

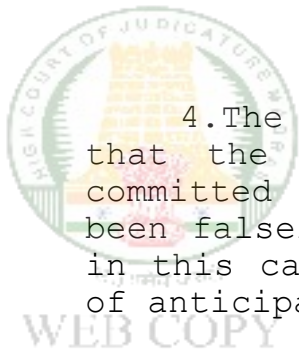
PRAYER :- For Anticipatory Bail in Crime No.239 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners who are arrayed as A-10 & A-11 apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 353, 379 & 506(ii) of IPC and Section 21(1) of Tamil Nadu Mines and Minerals Act, in Crime No.239 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused persons said to have illegally transported Three Units of river sand using vehicle. On inspection, the respondent police has stopped the vehicle. The petitioners along with other accused persons said to have criminally intimidated the police officials. Hence, a complaint has been registered.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. 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. He further submitted that A-1 in this case already enlarged on bail. Hence, he prayed for grant of anticipatory bail to the petitioners.

5.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioners are habitual offenders. He further submitted that there are four previous cases pending against the first petitioner/A-10 and one previous case pending against the second petitioner/A-11 of similar in nature.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioners are habitual offenders and there are four previous cases pending against the first petitioner/A-10 and one previous case pending against the second petitioner/A-11 of similar in nature, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this Criminal Original Petition stands dismissed.

sd/-

01/10/2020

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

ORDER

IN

CRL OP(MD) No.10237 of 2020

Date :01/10/2020

KSA

AE/AKM/SAR-I (06.10.2020) 2P 3C

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