

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.03.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Crl.O.P.No.4183 of 2021

N.Rajesh

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Bahour Police Station
Puducherry.
(Crime No.34 of 2021)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No. 34 of 2021 pending investigation on the file of the Respondent.

For Petitioner : Mr.K.Sudhakar

For Respondent : Mr.V.Balamurugane
Public Prosecutor for Puducherry

O R D E R

(The case has been heard through video conference)

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 of I.P.C. read with 34 of I.P.C., in Crime No. 34 of 2021, on the file of the respondent police, and now, he has filed this petition seeking to grant anticipatory bail.

2. The case of the prosecution is that on the date of occurrence, when the respondent police conducted checkup, they found that the petitioner said to have taken river sand and transported the same through his minivan without any valid permit. On seeing the police, he has escaped from the scene of occurrence. Hence, a criminal case has been registered against the petitioner and now, apprehending arrest, the present petition has been filed seeking for anticipatory bail.

3. The learned counsel appearing for the petitioner submitted that he is an innocent person, he is no way connected with the offence, and he has been falsely implicated as accused in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is an habitual offender and he is having three previous cases. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have heard and considered the rival submissions made by the learned counsel appearing for petitioner as well as learned Additional Public Prosecutor and perused the records.

6. Taking into consideration of the facts and circumstances, the petitioner is involved in bad antecedents and having three previous cases, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
03/03/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.IV,
PUDUCHERRY.

2 THE INSPECTOR OF POLICE,
BAHOUR POLICE STATION,
PUDUCHERRY

3 THE PUBLIC PROSECUTOR
PUDUCHERRY.

CC to M/S.K.SUDHAKAR Advocate on payment of necessary charges

CRL OP.4183/2021

Date :03/03/2021

MK:22/04/2021