



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

Date : **27/04/2021**

PRESENT

WEB COPY

The Hon`ble **Mr.Justice G.CHANDRASEKHARAN**

CRL OP(MD) . No.4091 of 2021

Thomus

... Petitioner/Accused No.1

Vs

State Rep. by
The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(In Crime No.71/2021).

... Respondent/Complainant

For Petitioner : Mr.Senthilkumar.R.,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.71/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 and 506 (ii) of IPC and Section 21(4) of the Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.71 of 2021 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent police.

3. It is seen from the submissions made that on 08.03.2021, at about 07.00 a.m., when the defacto complainant and his Village Assistant were in election duty, they found a lorry bearing Registration No.TN-65-2575, came with sand near the house of one Deivendhran. When the vehicle was returning, the defacto complainant asked the driver to stop the vehicle. But, without stopping the vehicle, the petitioner said to have tried to dash against the defacto complainant. Hence, this case came to be registered.



4.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in the present case and hence, he seeks anticipatory bail. He would further submit that the petitioner has given a complaint against the officials of the Revenue Department for illegal quarrying and mining of national resources and therefore, this false case came to be registered.

5.The learned Government Advocate (criminal side), on instructions, submitted that the investigation is pending.

6.Taking into account the facts and circumstances of the case, the serious allegation made against the petitioner that the petitioner did not stop the lorry and tried to dash against the defacto complainant and the fact that the investigation in this case is not completed, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed.

sd/-
27/04/2021

/ TRUE COPY /

/ /2021
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,
ELAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4091 of 2021
Date :27/04/2021

sm
JM/AKM/SAR III/21.05.2021/2P/3C