



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

Date : 27/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.5837 of 2021

Ganesan

... Petitioner/Accused No.4

Vs

The State Represented by,
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District
Cr No. 160/2021.

... Respondent/Complainant

For Petitioner : Mr.Boopathi Pandiyan.M.,
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.160 of 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 of IPC in Crime No.160 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 16.04.2021, at about 06.00 a.m., when the respondent police were in routine check up, the petitioner was trying to transport ¼ unit of savadu sand, by using JCB bearing Registration No.TN-63-BA-9982 with two tractors bearing Registration Nos.TN-25-AD-2676 and TN-63-AP-2676, from the patta land, without proper permission or licence.

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.

5.The learned Government Advocate (criminal side), strongly opposed this petition on the ground that the petitioner involved in serious offence of sand theft.

6.Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed with liberty to the petitioner to surrender before the Court below and seek regular bail. The Court below shall pass orders on merits on the same day.

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 JUDICIAL MAGISTRATE
MANAMADURAI
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.5837 of 2021

Date :27/04/2021

SM

PK/AKM/SAR-I/19.05.2021 : 2P/5C