



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/04/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.6266 of 2021

Santhose Kumar

... Petitioner/Sole Accused

Vs

The State rep by
The Sub Inspector of Police,
Thiruvatar Police Station,
Kanyakumari District
Cr No. 36/2021.

... Respondent/Complainant

For Petitioner : Mr.Kishore C,
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. 36/2021 on the file of the respondent Police

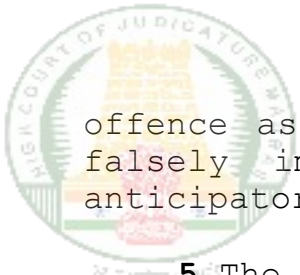
ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of IPC in Crime No.36 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 24.01.2021, when the respondent police were in routine check up, the petitioner was trying to transit 18 bags of river sand, each bag contains 50 kg of river sand, by his motor cycle bearing Registration No.TN 75 K 1788, 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/-
30.04.2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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 Sub Inspector of Police,
Thiruvatar Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.KISHORE, Advocate (SR-3606[I] dated 30/04/2021)

ORDER
IN
CRL OP (MD) No.6266 of 2021

Date : 30/04/2021