



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

Date : 29/04/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.6095 of 2021

1.Hussain Oone

2.Sethupathy @ Sethupandi

... Petitioners/Accused

Vs

State rep by

The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District
(Crime No.143 of 2021).

... Respondent/Complainant

For Petitioners :Mr.G.V.VAIRAM SANTHOSH,
Advocate.

For Respondent : Mr.KR.BHARATHI KANNAN,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.143 of 2021 on the file of the
respondent police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the alleged offences punishable under Section
379 IPC and Section 21(1) of the Mines and Minerals (Development and
Regulation) Act, 1957 in Crime No.143 of 2021, seek anticipatory
bail.

2.The case of the prosecution is that the petitioners said to
have transported ¼ unit of savudu sand by using tractor. Hence, the
complaint.

3.The learned counsel for the petitioners submitted that the
petitioners are innocent persons and they did not commit any offence
as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the
respondent police submitted that there is no previous case pending
against the petitioners.



5. Considering the nature of the case where the petitioners illegally transported $\frac{1}{4}$ unit of sand, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is dismissed with liberty to the petitioner to surrender before the concerned Court and file a bail petition. On such filing of the petition, the Court below shall consider the same and pass orders on the same day, on its own merits and in accordance with law.

Sd/-
29/04/2021

/ TRUE COPY /

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

GNS

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 NO.1
RAMANATHAPURAM DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6095 of 2021
Date : 29/04/2021