



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/05/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) .No.6430 of 2021

Anwar @ Anwar Raja @ Chinnasamy ... Petitioner/Sole Accused

Vs

State rep.by,
The Inspector of Police,
Saptur Police Station,
Madurai District,
(Crime No. 37 of 2021).

... Respondent/Complainant

For Petitioner : Mr.T.Palanisamy,
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.37 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 r/w Sections 4(1)(1A) and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.37 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. The case of the prosecution is that the petitioner illegally transported Kanmoi soil without valid permission from the authorities.

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), on instructions, strongly objected on the ground that the petitioner has six previous cases in total, out of which, three cases are similar in nature.

6.Considering the facts and circumstances of the case and the fact that the petitioner has six previous cases in total, out of which, three cases are similar in nature, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed.

sd/-
13/05/2021

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

ORDER
IN
CRL OP(MD) No.6430 of 2021
Date :13/05/2021

SM/TM
PK/AKM/SAR-IV/20.05.2021 : 2P/3C