



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 10/08/2021

WEB COPY

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL OP(MD). No.10468 of 2021

1.Rajaguru,

2.Muthu @ Muthuraj

Vs

... Petitioner/Accused Nos.1&4

State Rep by

The Inspector of Police,

Saptur Police Station, Madurai District.

(Crime.No.66 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Palanisamy.T.,  
Advocate.

For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor(Criminal side)

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

PRAYER :-

For Anticipatory bail in Crime No.66 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2.The case of the prosecution is that based on the secret information, the respondent police conducted an inspection and found that the petitioners and other accused have illegally transported odai sand in seven tractors. Hence, this complaint.

3.The learned counsel for the petitioner would submit that this is the second Anticipatory Bail petition. In an earlier occasion the petition filed by the petitioners seeking Anticipatory Bail was dismissed on 21.05.2021.



4.The learned Additional Public Prosecutor would submit that the first petitioner is involved in five previous cases and the second petitioner is involved in three previous cases and strongly objected to grant Anticipatory Bail.

5.The learned counsel for the petitioner would further submit that except the case which was registered in 2019, all other cases have been registered only during the pandemic period and he request to ignore all these matters.

6.Even if we ignore these matters, previous cases of similar nature in Crime No.75 of 2019 and 57 of 2021 are pending against the petitioners. Considering the antecedent of the petitioners and also there is no change of circumstances, Anticipatory bail cannot be granted. I find no merit in this petition and it is liable to be dismissed and accordingly, it is dismissed.

sd/-  
10/08/2021

/ TRUE COPY /

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

VRN

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.10468 of 2021  
Date :10/08/2021

PKP/JM/SAR-1/13/08/2021/2P/3C