



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 30/06/2021

WEB COPY

PRESENT

**The Hon'ble Mr.Justice G.CHANDRASEKHARAN**

CRL OP(MD). No.7778 of 2021

1. Thamarai Selvan  
2. Veerasekar

... Petitioners/Accused  
Rank 1&2

**Vs**

The State Rep. by  
The Inspector of Police,  
Thiruppulani Police Station,  
Ramanathapuram District.  
Crime No.107 of 2021

... Respondent/Complainant

For Petitioners : Mr.Vishnu J,  
Advocate.

For Respondent : Mr.M.Muthumanikkam,  
Government Advocate (Crl.Side)

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

**PRAYER :-**

For Anticipatory Bail in Crime No.107 of 2021 on the file of the Respondent Police.

**ORDER :** The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 379 and 511 of I.P.C. and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.107 of 2021 on the file of the respondent police, seek anticipatory bail.

3. The case of the prosecution is that on 24.02.2021, the respondent police found near Periyapattianm Kurunthumankundu beach, the accused were removing the sand by using JCB bearing Registration No.TN49 AE 2019 and there was also a Tractor without any



registration number. On seeing the police party, the accused left the JCB and Tractor and escaped from the scene of occurrence. Therefore, the present case came to be registered.

4. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

5. The learned Government Advocate (Crl. Side) opposed this petition on the ground that the petitioners are having one previous case of similar in nature in Crime No.211 of 2020 for the offence under Sections 370 of I.P.C. r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, on the file of the Thiruppulani Police Station, Ramanathapuram District.

6. Considering the fact that the petitioners had removed sand without any permission and the fact that one similar previous is pending against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Hence the petition stands dismissed.

sd/-

30/06/2021

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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,  
THIRUPPULANI POLICE STATION,  
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER

IN

CRL OP(MD) No.7778 of 2021

Date : 30/06/2021