



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

Date : 21/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.8082 of 2021

1.Muthukumar
2.Sundaramoorthy

... Petitioners/Accused No.1 and 2

Vs

State rep.by,
The Inspector of Police,
Peraiyur Police Station,
Madurai District.
In Crime No.226/2021.

... Respondent/Complainant

For Petitioners : Mr.D.S.Haroon Rasheed,
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 Cr.No.226 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 4(1)(1A), 21(5) of the Mines and Minerals (Development and Regulation)Act, 1957 in Crime No.226 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 15.06.2021, at about 17 hours, when the police party conducted search, they found S.Keelapatti near Kavuri kills, the accused in this case were illegally loading one unit of red sand by using tractor bearing registration No.TN48 E 7535. Hence, the complaint.

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



4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that investigation is not completed and the petitioners have one similar previous case pending against them.

5.Taking note of the fact that it is a case of illegal transportation of red sand from the Government oodai and the fact that similar previous case pending against the petitioners and also the fact that investigation is not completed and this case was registered only on 15.06.2021, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is dismissed.

sd/-
21/06/2021

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

ORDER
IN
CRL OP(MD) No.8082 of 2021
Date :21/06/2021

gns
PK/PN/SAR-IV/24.06.2021 : 2P/3C