



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

Date : 01.07.2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.8646 of 2021

J.Rabik

... Petitioner/Accused No.2

Vs

State Represented by,
The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.
Crime No.79/2021

... Respondent/Complainant

For Petitioner : Mr.M.Karunanithi

For Respondent : Mr.M.Muthumanikkam,
Counsel for Government of TamilNadu
(Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime no.79 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of IPC in Crime No.79 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 26.02.2021, at about 09.10 am, when the respondent Police were on duty, they found Tipper Lorry bearing Registration No.TN 72 M 5896, illegally carrying 2½ units of jalli, by using expired M sand pass. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is falsely implicated in this case. He further submitted that the petitioner is only the owner of the lorry and he had no knowledge about the involvement of his lorry in illegal activities and therefore, the learned counsel seeks anticipatory bail to the petitioner.



4.The learned Counsel for the Government of Tamil Nadu (Criminal Side) appearing for the respondent police opposed this petition on the ground that investigation is pending.

5. In this case, the investigation is at the initial stage and it is too early to conclude that the petitioner had no knowledge about the incident. Considering the fact that 2½ units of jalli was transported illegally without permit, by using expired M sand pass, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
01/07/2021

/ 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,
THATCHANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.

2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8646 of 2021
Date :01/07/2021

mbi
TK/PN/SAR.4/06.07.2021/2P/3C