



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

Date : 02/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.8726 of 2021

1. Thirumoorthi
2. Ganeshan
3. Harikrishnan

... Petitioner/Accused 1 to 3

Vs

The State Rep.by,
The Sub Inspector of Police,
Mandalamanickam Police Station,
Ramanathapuram District.
Crime No. 124 of 2021.

... Respondent/Complainant

For Petitioners : Mr.A.Uthayakumar,
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.124 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of IPC r/w.21(1) of Mines and Minerals Development and Regulation Act, 1957, in Crime No.124 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 26.06.2021 the accused were said to have removed 40 bags of river sand using a vehicle bearing Reg.No.TN 32 Y 5445. On seeing the police they escaped from there, therefore the case came to be registered.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the names of the petitioners does not found place in the First Information Report, hence he seeks bail.



4.The learned Government Advocate(Crl.Side) opposed the bail petition on the ground that the investigation is not yet completed.

5.On perusal of the First Information Report it is seen that the name of the petitioners are mentioned in the First Information Report. The case was registered only on 26.06.2021 and the investigation is at the nascent stage.

6.Taking into consideration of all these factors and also the fact that the petitioners said to have transported river sand without any valid permission and the investigation is at the nascent stage, this Court is not inclined to grant anticipatory bail to the petitioners.

7. In the result, the petition stands dismissed.

sd/-
02/07/2021

/ 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 SUB INSPECTOR OF POLICE,
MANDALAMANICKAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.8726 of 2021
Date :02/07/2021

AAV
PK/JC/SAR-III/06.07.2021 : 2P/3C