



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

Date : 09/07/2021

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PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.9090 of 2021

K.Jeyaram

... Petitioner/Sole Accused

Vs

The State rep.by
The Sub Inspector of Police,
Soolakkarai Police Station,
Virudhuangar District.
Crime No.114/2021.

... Respondent/Complainant

For Petitioner : Mr.G.Chandrasekar,
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.114 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 IPC and Section 21(5) of the Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.114 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 03.07.2021, when the defacto complainant and other officials were engaged in preventing offences relating to the illegal transportation of sand, at about 11.30 pm., they found on the west of service road, an unregistered tractor and trailer came from south with 1 and ½ unit of stone. They stopped the vehicle and enquired with the driver Jeyaram as to whether there is any permit for transportation. He did not produce any permit. Hence, the complaint.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also produced RC Book of the vehicle bearing registration No.TN67BJ2539 in support of his case.

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4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that this case was registered only on 03.07.2021, and investigation is in preliminary stage. That apart, the copies of documents produced by the petitioner's counsel are not related to the vehicle involved in this case, which is an unregistered vehicle.

5.Taking note of the facts of the case where it is alleged that one and half unit of stone illegally transported without any permit and the fact that this case was registered only on 03.07.2021 and investigation in this case is in preliminary stage and also considering the submission of the learned Government Advocate (Crl.side) that the copies of documents produced by the petitioner's counsel are not related to the vehicle involved in this case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

09/07/2021

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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 SUB INSPECTOR OF POLICE,
SOOLAKKARAI POLICE STATION,
VIRUDHUANGAR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.9090 of 2021

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