



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.9188 of 2021

1. Muniyandi @ Muthu Muniyandi
2. Muthuramalingam ... Petitioners/Accused Nos. 1 & 2

Vs

The State Rep by its,
The Sub-Inspector of Police,
Thiruchulli Police Station,
Virudhunagar District.
Crime No. 123 of 2021 ... Respondent/Complainant

For Petitioners : Mr.B.Muneeswaran,
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.123 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, 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.123 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant got information that the accused in this case are illegally removing sand from the Kanalodai in S.No.1 of Ambaneri village. When he visited the place at 03.30 hrs with other officials it was found that the accused persons have illegally stolen the sand. Therefore the case came to be registered.



3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would also submit that there is no recovery from these petitioners, hence he seeks anticipatory bail.

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

5. The allegations in the First Information Report shows that the petitioner had illegally stolen sand from the kanalodai, which is the Government property. Further the First Information Report was registered only on 07.07.2021 and the investigation is at the nascent stage, hence this Court is not inclined to grant anticipatory bail to the petitioners.

6. Hence the petition stands dismissed.

sd/-

12/07/2021

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/ /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
THIRUCHULLI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.9188 of 2021

Date :12/07/2021

AAV

RT/VR/SAR-II/14.07.2021/2P/3C