



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

Date : 19/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN
CRL OP (MD) No.9505 of 2021

Sundaramoorthy,

... Petitioner/Accused

Vs

The Inspector of Police,
Peraiyur Police Station, Madurai
District (Crime No.226/2021).

... Respondent/Complainant

For Petitioner : M/s.Haroon Rasheed.D.S,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

Anticipatory Bail in Crime No.226/2021 on the file of the Respondent Police to enlarge the petitioner/Accused No.2 on the bail in event of his arrest or surrender in Crime No.226 of 2021 on the file of the respondent police and pass such other

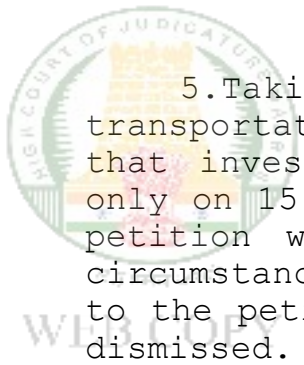
ORDER : The Court made the following order :-

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 previous case pending against them. He also submitted that earlier petition was dismissed only on 21.06.2021 and there is no change in circumstances.



5. Taking note of the fact that it is a case of illegal transportation of red sand from the Government godai and the fact that investigation is not completed and this case was registered only on 15.06.2021 and also the fact that earlier anticipatory bail petition was dismissed on 21.06.2021 and there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is dismissed.

sd/-
16/07/2021

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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.

GNS

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.9505 of 2021

Date : 19/07/2021

CN(22.07.2021) 2P 3C