



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/07/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.9377 of 2021

Karuppaiya

... Petitioner/Accused No.2

Vs

The State Represented by
The Inspector of Police,
Karraiyyur Police Station,
Pudukottai District.
(Crime No. 154 of 2021).

... Respondent/Complainant

For Petitioner : Mr.S.Sathya Chidambaram ,
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. 154 of 2021 on the file of
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(1) of the Mines and Minerals (Development and
Regulation)Act, in Crime No.154 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant
was engaged in vehicle check up, on 06.07.2021. At about 09.00 am.,
he found a vehicle bearing registration No.TN74Y3502. Vehicle was
stopped and one unit of river sand was found in the vehicle. Hence,
the complaint.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is the owner of the vehicle. He is not aware of the fact that the vehicle is alleged to have been used for illegal transportation of sand.

4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that investigation is pending. He further submitted that the petitioner has two similar previous cases pending against him. The details of the previous cases are as follows:

1.Cr.No.235 of 2020 under Section 379 IPC r/w Section 21(1) M of the Mines and Minerals (Development and Regulation)Act.

2.Cr.No.248 of 2020 under Section 379 IPC r/w Section 21(1) M of the Mines and Minerals (Development and Regulation)Act.

5.Considering the nature of the allegation that the accused in this case had illegally transported one unit of river sand and the fact that the petitioner has two similar previous cases, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

15/07/2021

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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 INSPECTOR OF POLICE,
KARRAIYUR POLICE STATION,
PUDUKOTTAI DISTRICT .

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

ORDER

IN

CRL OP(MD) No.9377 of 2021

Date :15/07/2021

GNS

SS/JC/SAR-II/15.07.2021 : 2P/3C

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