



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.9855 of 2021

Azhagunachimuthu@muthu, ... Petitioner/Accused No.4

Vs

State Rep by
Inspector of Police,
Thottiyam Police Station, Trichy
District, Crime No.146/2021.

... Respondent/Complainant

For Petitioner : M/s.Sudhagar Nagaraj.N,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.146/2021 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(1) of the Mines and Minerals (Development and Regulation)Act, in Crime No.146 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that when the police party were involved in preventing offence relating to mines and minerals at Thiruengkoymalai Kokku Vettiyan Kovil, near Kavery river, they found that JCB bearing registration No.TN 31 AD 9070 and lorry bearing registration No.TN 28 AD 2739 have been used to loading river sand. Hence, the present case has been registered.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the petitioner is having previous case, which is similar in nature and earlier petition for anticipatory bail was dismissed on 21.06.2021 in Crl.O.P.(MD)No.8046 of 2021.

5.Considering the facts and circumstances of the case and the fact that the petitioner is having previous case, which is similar in nature and there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
04/08/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

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 INSPECTOR OF POLICE
THOTTIYAM POLICE STATION, TRICHY DISTRICT,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9855 of 2021
Date :04/08/2021

PKP/JM/SAR4 10/08/2021 : P3:3C

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