



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

Date : 27/07/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.9773 of 2021

1. A.Maria Packiyarani
2. S.Arockiyasamy

... Petitioners 1&2/
Accused No.4&5

Vs

State Rep by The Inspector of Police,
Manaparai Police Station,
Trichy District.
(Crime.No.869/2021)

... Respondent/Complainant

For Petitioner : Mr.S.Ramsundarvijayraj,
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.869 of 2021 on the file of the Respondent police.

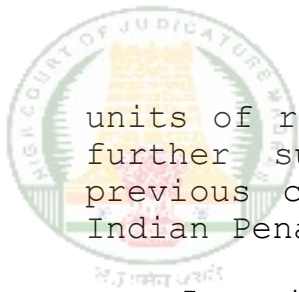
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 379 IPC and Section 21(1) of the Mines and Minerals (Development and Regulation) Act in Crime No.869 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 13.07.2021, at about 04.30 am., the respondent police got a secret information with regard to the storage of river sand near Muthappudaiyanpatti Railway Bridge. They visited the spot and found two lorries bearing registration Nos.TN 48 AF 6018 and TN 45 BT 9559 respectively with river sand and one unregistered JCB was used for loading. Karthikeyan and Paulsekar and Manogar were arrested by the Police and this case came to be registered.

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 five



units of river sand had been illegally kept for transportation. He further submitted that the second petitioner is having three previous case, which were registered under the provisions of the Indian Penal Code.

5. It is a case of illegal possession and transportation of five units of river sand. It appears that the first petitioner had already filed another anticipatory bail petition in CrI.O.P.(MD) No.9k714 of 2021 and withdrew it. However, filing of the petition and dismissal of the same, is not mentioned in this petition. Taking note of this fact and also the fact that the petitioners involved in illegal possession and transportation of five units of river sand, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is dismissed.

sd/-

27/07/2021

/ TRUE COPY /

/ /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 INSPECTOR OF POLICE,
MANAPARAI POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to Mr.S.RAMSUNDARVIJAYRAJ, Advocate (SR-4872[I] dated 28/07/2021)

ORDER

IN

CRL OP(MD) No.9773 of 2021

Date : 27/07/2021

GNS

RT/VR/SAR-IV/30.07.2021/2P/4C