



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.10427 of 2021

Karthikeyan, ... Petitioner/Sole Accused

Vs

State Rep by  
The Inspector of Police,  
Bazzar - Police Station, Ramanathapuram,  
Ramanathapuram District  
Crime No. 271 of 2021. ... Respondent/Complainant

For Petitioner : M/s.Balamurugapandi D,  
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 Cr.No.271 of 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(4) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.271 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found using JCB bearing Registration No.TN 65 2998 for illegal removing of river sand from the river bud at Vannivayal and on seeing the Police party, the petitioner has escaped from the place. Hence, the present case came to be 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 has illegally taken sand from river bud. He further submitted that earlier anticipatory bail petition in Crl.O.P.(MD)No.7703 of 2021 was dismissed on 14.06.2021 and there is no change in circumstances.

5.Considering the fact that the petitioner has illegally taken sand from river bud and also the fact that earlier anticipatory bail petition was dismissed on 14.06.2021 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.The Inspector of Police,  
Bazzar - Police Station,  
Ramanathapuram,  
Ramanathapuram District.

2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate ( SR-5089[I] dated 05/08/2021 )

ORDER IN  
CRL OP(MD) No.10427 of 2021  
Date : 04/08/2021

TR/VR/SAR-I (18.08.2021) 2P 4C

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