



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

Date : 04/08/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD)No.10338 of 2021

Selvakumar

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Mayiladumparai Police Station,
Theni District.
Crime No.436 of 2020.

... Respondent/Complainant

For Petitioner : Mr.S.RAMESH BABU,
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.436 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

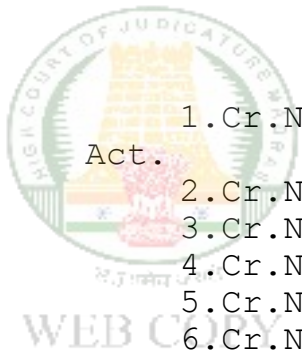
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 IPC r/w Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.436 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported oodai sand by using bullock cart. 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 has six similar previous cases. The details of the previous cases are extracted hereunder:-

<https://hcservices.ecourts.gov.in/hcservices/>



- 1.Cr.No.9 of 2020 under Section 379 IPC r/w Section 21(4) MMDR Act.
- 2.Cr.No.54 of 2019 under Section 36(A) MMDR Act.
- 3.Cr.No.6 of 2019 under Section 36(A) MMDR Act.
- 4.Cr.No.389 of 2018 under Section 36(A)MMDR Act.
- 5.Cr.No.350 of 2018 under Section 36(A)MMDR Act.
- 6.Cr.No.281 of 2018 under Section 36(A)MMDR Act.

5.Considering the facts and circumstances of the case and also considering the bad antecedents as against the petitioner, 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.

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,
MAYILADUMPARAI POLICE STATION,
THENI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

**ORDER
IN**

CRL OP(MD) No.10338 of 2021
Date :04/08/2021

SA/PN/SAR.3/17.08.2021/2P/3C