



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.08.2021

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.11281 of 2021

ANAND

... PETITIONER/ACCUSED NO.2

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
JAMBUNATHAPURAM POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.59 OF 2021).

... RESPONDENT/COMPLAINANT

FOR PETITIONER : MR.K.PRAKASH,
ADVOCATE

FOR RESPONDENT : MR.P.KOTTAI CHAMY,
GOVERNMENT ADVOCATE (CRL.SIDE)

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

PRAYER :-

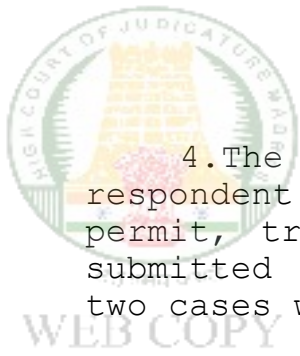
For Anticipatory Bail in Crime No.59 of 2021 on the file of the respondent police.

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 of IPC r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.59 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused had illegally transported one and half units of river sand by using tractor. Therefore, 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 nothing to do with the alleged occurrence.



4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the petitioner, without any valid permit, transported one and half units of river sand. He further submitted that the petitioner has three previous cases, in which, two cases were registered under Section 302 IPC.

5.Considering the nature of allegations levelled against the petitioner and also the fact that the petitioner has three previous cases, in which, two cases were registered under Section 302 IPC, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
12/08/2021

/ 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,
JAMBUNATHAPURAM POLICE STATION,
TRICHY DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.11281 of 2021
Date :12/08/2021

gns
USK/VR/SAR-II : 19/08/2021 : 2P/3C