



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.14367 of 2021

Srinivasan

... Petitioner/Accused No.1

Vs

State rep by
The Inspector of Police,
Ammappattai Police Station,
Thanjavur District.
Crime No.1442 of 2020

... Respondent/Complainant

For Petitioner : Mr.Sivaraja.G,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

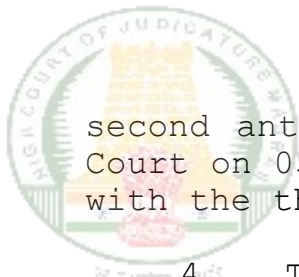
For Anticipatory Bail in Crime No.1442 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Section 379 IPC r/w. 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.1442 of 2020, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons has illegally transported one unit of river sand.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. This is the third anticipatory bail petition. The first petition was dismissed for non-prosecution by this Court on 12.07.2021. Thereafter, the petitioner moved the



second anticipatory bail petition, that was also dismissed by this Court on 05.08.2021. Therefore, the petitioner is before this Court with the third anticipatory bail petition.

4. The learned Government Advocate (Crl. Side) opposed for grant of bail on the ground that the petitioner is having three previous cases, out of which, two cases are similar in nature. Therefore, the second anticipatory bail petition was dismissed by this Court. The details of the previous cases are as follows:

(i) Ammapettai Police Station - Cr.No.152/2019, u/s. 379 IPC r/w. 21(4) MM Act.

(ii) Ammapettai Police Station - Cr.No.195/2019, u/s. 379 IPC r/w. 21(4) MM Act.

(iii) Ammapettai Police Station - Cr.No.782/2021, u/s. 294(b), 324 and 506(i) IPC.

5. Considering the nature of mineral involved and the antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

Sd/-
30/09/2021

/ TRUE COPY /

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

OGY

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,
AMMAPATTAI POLICE STATION,
THANJAVUR DISTRICT

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

ORDER
IN
CRL OP(MD) No.14367 of 2021
Date : 30/09/2021