



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

Date : 07/10/2021  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice B.PUGALENDHI**

CRL OP(MD) . No.15389 of 2021

T.Mahesh Kumar @ Thodu Mahesh ... Petitioner/Accused No.1

**Vs**

The State rep.by  
The Inspector of Police,  
Thiruverambur Police Station,  
Trichy.  
Crime No.1044 of 2021

... Respondent/Complainant

For Petitioner : Mr.S.SABARI BALA PANDIAN,  
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.1044 of 2021 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.1044 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused has illegally transported one unit of river sand in his Bolero Pickup vehicle bearing Reg.No.TN67 X 7995.

3.The learned counsel for the petitioner submits that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail.

4.The learned Government Advocate (Crl. Side) opposed for grant of anticipatory bail on the ground that the petitioner is having three previous cases.



5.The details of the previous cases are as follows:

(i) Cr.No.308 of 2018 - u/s. 143, 147, 353 and 506(i) IPC on the file of Thiruverumbur Police Station;

(ii) Cr.No.243 of 2020 - u/s. 269 IPC, 4(1)(a), 4(1-A), 4(1)(g), 4(1)(i) of TNP Act on the file of PEW, Thiruverumbur Police Station;

(iii) Cr.No.121 of 2016 - u/s. 387 and 506(ii) IPC on the file of Thuvakudi Police Station.

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

7. In the result, the Criminal Original Petition is dismissed.

sd/-

07/10/2021

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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  
THIRUVERAMBUR POLICE STATION,  
TRICHY.

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

**ORDER**

**IN**

CRL OP(MD) No.15389 of 2021

Date :07/10/2021

SA/JM/SAR.2/25.10.2021/2P/3C