



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/11/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.17661 of 2021

Pandi

... Petitioner/Accused No.1

Vs

State rep.by

The Inspector of Police,
Uthappanaickanur Police Station,
Madurai District.

(Crime No.158 of 2021).

... Respondent/Complainant

For Petitioner : M/s. Balamuruganantham.R, Advocate.

For Respondent : M/s.P.Kottaisamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.158 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 offence punishable under section 379 IPC and Sections 21(1) and 21(5) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No. 158 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioner has been found illegally transporting red soil without valid permission.

3.The learned counsel appearing for the petitioner submits that this is the second petition filed by the petitioner for anticipatory bail. The earlier petition was dismissed by this Court on 08.10.2021. He further submits that the petitioner is ready to abide

by any conditions imposed on him by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that this is the second anticipatory bail petition. The first anticipatory bail petition was dismissed by this Court vide order dated 08.10.2021 in Crl.O.P.(MD)No.15724 of 2021, on the ground that three previous cases were pending against this petitioner.

5. Today, (30.11.2021), when the matter is taken up for hearing, the learned Government Advocate submits that there is no change of circumstances in this case.

6. Considering the nature of allegations levelled against the petitioner, and there is no change in circumstances, after the dismissal of earlier petition, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

30/11/2021

/ TRUE COPY /

/ /2021

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

VRN

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,
Uthappanaickanur Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.17661 of 2021

Date : 30/11/2021

SP/JC/SAR II/06/12/2021/2P/3C

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