



WEB COPY

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

Date : 07/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.19227 of 2021

1. Pon Prasath
2. Vishnu

... Petitioners/Accused
(Rank Not Known)

Vs

State rep.by
The Inspector of Police,
Thiruvadanai Police Station,
Ramanthapuram District.
(Crime No.306 of 2021).

... Respondent/Complainant

For Petitioners: M/s.Veerakumar T, Advocate.

For Respondent : M/s.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.306 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 353, 506(ii), 379 IPC r/w Section 21(1) of Mines and Minerals (Development and Regulations) Act, 1957, in Crime No.306 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on secret information on 21.11.2021, the defacto complainant went to the place of occurrence, the petitioners illegally transported the river sand by using Tractor without any valid license. When the same was questioned,

they assaulted the defacto complainant and ran away from the occurrence place. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners by using JCB along with Tractor illegally transported the river sand.

5. Reading the FIR shows that the petitioners assaulted the defacto complainant and snatched his mobile phone and also criminally intimidated him. Though the learned counsel for the petitioners submitted that the petitioners are not having previous antecedents, the manner in which the offence has taken place, disentitles the petitioners for granting anticipatory bail to them. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal original Petition is dismissed.

Sd/-

07/12/2021

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

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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,
THIRUVADANAI POLICE STATION,
RAMANTHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.19227 of 2021

Date : 07/12/2021