



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4765 of 2022

SURIYA

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
VICKRAMANGALAM POLICE STATION,
ARIYALUR TALUK AND DISTRICT.
(CR.NO.371 OF 2020)

[RESPONDENT]

For Petitioner : M/S C.PRABAKARAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

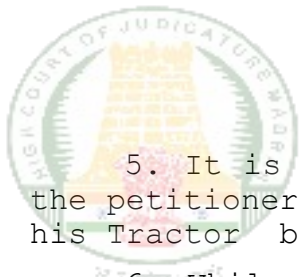
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 21(1) of the Tamil Nadu Mines and Minerals (Development and Regulation) Act 1957, r/w 379 of IPC in Crime No.371 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the respondent police were on regular patrol, they found that the petitioner had illegally transported 1/2 unit of river sand in a Tractor bearing Regn.No.TN-49-AM-6459 without any valid license.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

4. The condition imposed by this Court on 15.03.2021 is not complied with by the petitioner herein and therefore, he has filed a fresh anticipatory bail petition. This Court is of the view that the petitioner was enjoying the anticipatory bail condition. Having failed to comply the condition, he cannot revive the same or recall after one year by filing fresh anticipatory bail petition.



5. It is open to the respondent police herein to proceed against the petitioner for illicit transportation of 1/2 unit of river sand in his Tractor bearing Regn. No. TN-49-AM-6459.

6. While observing so, it does not mean that the petitioner be necessarily arrested by the respondent police unless situation warrants. In case the petitioner is arrested, it is open to him to seek redressal before the appropriate forum.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

28/02/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
VICKRAMANGALAM POLICE STATION,
ARIYALUR TALUK AND DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S C.PRABAKARAN Advocate on payment of necessary charges

CRL OP.4765/2022

Date :28/02/2022

CSK 08/03/2022