



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07.01.2022
PRESENT

WEB COPY

The Hon'ble Mrs.Justice R.THARANI

CRL OP(MD). No.278 of 2022

Subbaiah

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City,
Tirunelveli District.
(In Crime No.912 of 2021).

... Respondent/Complainant

For Petitioner : Mr.S.SELVAKUMAR, Advocate.

For Respondent : Mr.RMS.SETHU RAMAN
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail Crime No.912 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC, in Crime No.912 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported 2 units of sand in tipper lorry. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is A2. The petitioner is impleaded in the case only because the petitioner is the owner of the vehicle. The petitioner is an innocent person and he has been falsely implicated in this case and prayed to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor for the respondent police submitted that A1 was arrested on 28.12.2021 and he is still in custody. The petitioner is the owner of the lorry and that he is no previous case. The offence is serious in nature and he objected to grant anticipatory bail to the petitioner.



5.It is seen that the petitioner has not annexed the copy of the FIR. Whether the Offence under Mines and Minerals (Development and Regulation) Act was impleaded in the FIR cannot be verified. Still A1 is in custody.

6.In the above circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-

07/01/2022

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/ /2022

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,
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI CITY,
TIRUNELVELI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.278 of 2022

Date :07/01/2022

SA/JM/SAR.1/12.01.2022/2P/3C