



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.440 of 2022

Kannan

... Petitioner/Accused No.1

Vs.

The State rep.by,
The Inspector of Police,
Nathampatti Police Station,
Viruthunagar District.
In Crime No.123/2021.

... Respondent/Complainant

For Petitioner : M/s.Haroon Rasheed D.S,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

PRAYER :-

For Anticipatory Bail in Crime No.123/2021 on the file of the Respondent Police.

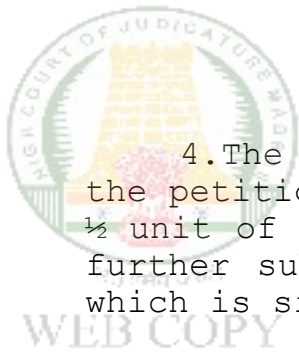
ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C and Section 21(4) of Mines and Minerals (Development & Regulation) Act, 1957, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused said to have illegally transported ½ unit of savadu sand, without any valid license and permission. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was not in the place of occurrence and only based upon the Registration Certificate of the vehicle, this petitioner has

<https://hccs.ejournals.org/ejournals/> the offence.



4. The learned Government Advocate (Crl. Side) submitted that the petitioner and other accused said to have illegally transported $\frac{1}{2}$ unit of savadu sand, without any valid license and permission. He further submitted that the petitioner is having one previous case, which is similar in nature.

5. Considering the minerals involved in this case and considering the fact that the petitioner is having one previous case, which is similar in nature, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Hence, this Criminal Original Petition is dismissed.

sd/-
12/01/2022

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/ /2022
Sub-Assistant Registrar (C.S.)
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,
Nathampatti Police Station,
Viruthunagar District.
in Crime No. 123/2021.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.440 of 2022
Date : 12/01/2022

RK/PN/SAR-I (03/02/2022) 2P 3C