



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1997 of 2022

Ramachandran

... Petitioner/Accused No.3

Vs

State rep.by
The Inspector of Police,
Karaiyur Police Station,
Pudukkottai District.
(Crime No.217 of 2021).

... Respondent/Complainant

For Petitioner : M/s.P.Ganapathi Subramanian, Advocate.

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

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

PRAYER :-

For an Anticipatory Bail in Crime No. 217 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC r/w Section 21(1) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.217 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons had transported 1 unit of river sand, without valid permission in the vehicle. Hence, the complaint.

3.The learned counsel for the petitioner would submit that this is the second bail petition, that the co-accused has taken the



vehicle for illegal transporting of sand. He purchased the vehicle from one Kamatchi for his own use.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is having five previous cases and on that ground the earlier anticipatory bail petition was dismissed. There is no change in circumstances.

5.This is the second anticipatory bail petition. The earlier petition was dismissed by this Court in Crl.OP(MD)No.19896 of 2021 dated 14.12.2021, considering his bad antecedents. The sale of vehicle involved in the occurrence cannot be considered as change in circumstances.

6.Considering the bad antecedents of the petitioner and there is no change in circumstances, the petitioner is not entitled for anticipatory bail.

7.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
02/02/2022

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/ /2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

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,
KARAIYUR POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1997 of 2022
Date :02/02/2022

SP/SBN/SAR IV/08/02/2022/2P/3C