



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 17/02/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP(MD)No.3217 of 2022

Manonmani

... Petitioner/Accused No.2

Vs.

State rep.By
The Inspector of Police,
Thiruppulani Police Station,
Ramanathapuram District.
(Crime NO.08 of 2022)

... Respondent/Complainant

For Petitioner : M/s.C.Senthil Murugan, Advocate

For Respondent : M/s.SS.Madhavan
Government Advocate(Criminal side)

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

PRAYER :-

For Anticipatory Bail in Crime No.08 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A2 apprehending arrest at the hands of the respondent police for the offence punishable under section 379 IPC and section 21(1) of Mines and Minerals (Development and Regulation), Act 1957, in Crime No.8 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons had illegally transported ½ unit of river sand without any valid permit in the vehicle. Hence, the complaint.

3.Heard both sides.

4.The earlier bail application that was filed along with the the co-accused, came to be dismissed by this court in respect of this petitioner noting that she is having previous case of similar nature. But this application has been filed on the ground that only based upon the confession statement of the co-accused, this petitioner is arrayed as an accused and she never indulged in



illegal sand mining activities and without her knowledge, it appears that the co-accused alleged to have used her vehicle.

5. Perusal of the CD file shows that this petitioner is the owner of the vehicle bearing registration No. TN-60-L-5816, which was used for the purpose of illegal mining of river sand by A1. When the vehicle was intercepted, the co-accused fled away from the place of occurrence. Without the knowledge of the petitioner, the co-accused would not have used the vehicle for the purpose of transporting the river sand. So the contention on the part of the petitioner that without her knowledge and permission, the co-accused alleged to have been used her vehicle is not at all acceptable and it is a matter for consideration before the trial court. Considering the antecedents, even though the this petitioner is a lady, she is not entitled for anticipatory bail, since there is no change of circumstances from the earlier order.

6. In the result, this criminal original petition is **dismissed**.

Sd/-
17/02/2022

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
THIRUPPULANI POLICE STATION,
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.3217 of 2022
Date : 17/02/2022