



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/03/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.4620 of 2022

Manonmani

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Thiruppulani Police Station,
Ramanathapuram District.
(Cr.No.08/2022).

... Respondent/Complainant

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

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

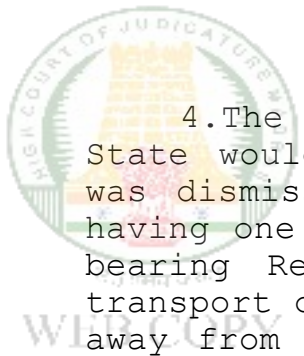
For Anticipatory Bail in Crime No.08 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.08 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused have illegally transported ½ unit of river sand by using Tractor bearing Registration No.TN-60-L-5816. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that this is the third anticipatory bail application. Earlier application was dismissed by this Court in Crl.OP(MD)No.3217 of 2022 dated 17.02.2022.



4.The learned Government Advocate (Crl.side) appearing for the State would submit that the earlier anticipatory bail application was dismissed by this Court on the ground that the petitioner is having one similar case. The petitioner is the owner of the vehicle bearing Registration No.TN-60-L-5816, which was used in illegal transport of sand. When vehicle was intercepted, the co-accused fled away from the place of occurrence. On that ground only the above said FIR was registered.

5.It is seen that on earlier occasion, the contention made by the learned counsel for the petitioner that without the knowledge of the petitioner, the above said vehicle was used by the co-accused for transporting sand, was rejected by this Court.

6.Now, the contention made by the petitioner is that the petitioner is the mother of two children. Due to the registration of case, she is not in a position to maintain her family and children.

7.But, this contention is not accepted by this Court. When similar case is pending, the petitioner is not entitled for discretionary relief of anticipatory bail. I find no merits in this petition. This Criminal Original Petition deserves dismissal and accordingly, the same is dismissed.

sd/-
11/03/2022

/ TRUE COPY /

/ /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,
Thiruppulani Police Station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.4620 of 2022
Date :11/03/2022