



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/04/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6315 of 2022

1. Rajaguru

2. Muthu @ Muthuraj

... Petitioners/Accused

Nos.1 & 4

Vs

State rep.by

The Inspector of Police,

Saptur Police Station,

Madurai District.

(Crime No.66/2021).

... Respondent/Complainant

For Petitioners : M/s.Palanisamy T, Advocate.

For Respondent : Mr.R.Sivakumar,
Government Advocate (Crl.Side)

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

PRAYER :-

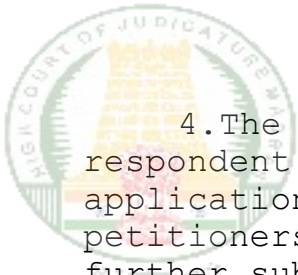
For Anticipatory Bail in Crime No.66 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 and 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 143, 188, 353, 506(i) and 379 IPC r/w Section 4(1) (1A) and 21(1) of Mines and Minerals Development and Regulation Act, 1957 in Crime No.66 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused said to have illegally transported Odai sand by using seven Tractors. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that this is the fifth anticipatory bail petition, except these petitioners, all other accused have been granted bail.



4.The learned Government Advocate (Crl. Side) for the respondent police submitted that earlier anticipatory bail applications were dismissed by this Court on the ground that the petitioners are involved in similar cases in the year 2019. He further submitted that the investigation is not yet completed.

5.It is seen from the records that even after a lapse of three years, no final report has been filed by the respondent police in respect of the above said occurrence and the co-accused have already been granted anticipatory bail.

6.Considering the fact that the petitioners have involved in similar cases in the year 2019 and also the fact that there is no change in circumstances of the case, since the dismissal of the earlier petitions, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this petition is dismissed with liberty to the petitioner either surrender before the respondent police or approach the concerned Court and seek regular bail.

Sd/-

06/04/2022

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/ /2022

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

SJI

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

+1. CC to M/S.PALANISAMY T Advocate SR.No.3196

ORDER

IN

CRL OP (MD) No.6315 of 2022

Date :06/04/2022