



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12281 of 2022

N.Selvam

... Petitioner/1st Accused

Vs

The State rep.by,
The Special Sub Inspector Of Police,
Ammapettai Police Station,
Thanjavur District.
Crime No.338/2022.

... Respondent/Complainant

For Petitioner : Mr.T.Mahendran,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.338/2022 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, r/w Section 21 (4) Mines and Minerals Act, 1957 in Crime No.338 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the respondent police was in routine vehicle checkup, they found the petitioner illegally transported ¼ unit of river sand without any valid permit using his TATA 407 vehicle. Hence, the case.

3.It appears that the earlier anticipatory bail application filed by the petitioner was dismissed on 20.06.2022 by this Court observing that the petitioner is having one previous case similar in nature.

4.The learned counsel for the petitioner submitted that though the earlier anticipatory bail application filed by the petitioner was dismissed on 20.06.2022, the respondent police has not taken any



steps to secure the accused till date. Therefore, it appears that the custodial interrogation is not required.

5. Such contention of the petitioner cannot be accepted and the petitioner cannot claim such a discretionary relief. I find no change of circumstances.

6. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. This petition deserves to be dismissed and accordingly, dismissed.

sd/-

08/07/2022

/ TRUE COPY /

/07/2022

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 SPECIAL SUB INSPECTOR OF POLICE,
AMMAPETTAI POLICE STATION, THANJAVUR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.12281 of 2022

Date : 08/07/2022

TM

MK/VR/SAR.II/26.07.2022/2P/3C