



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13964 of 2022

Saravanan

... Petitioner/Accused No.3

Vs

State rep.by
The Inspector of Police,
Kottampatti Police Station,
Sivagangai District.
(Crime No.247/2021).

... Respondent/Complainant

For Petitioner : M/s.Balaji S, 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.247 of 2021 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 offences punishable under section 379 of I.P.C., r/w. 21(5) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.247 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 08.09.2021 at about 7.00 am the revenue officials along with the police party were in routine check up and at that time, one Mahendra van bearing No. TN 75 P 0383 and Ashok Leyland Tipper Lorry bearing No.TN 31 A1 1143 were found in possession of illegal sand. On seeing the police party some of accused were run away and one of the accused was



arrested on the spot. On the basis of the above, a case has been registered against three persons and this petitioner is 3rd accused and owner of the tipper lorry.

3. The counsel for the petitioner submitted that petitioner is owner of the vehicle and he has also not present in the scene of occurrence and his name has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner is owner of the vehicle and he only insisted the driver to commit the above said offence and he has also having one previous case.

5. Considering the fact that the petitioner is having one previous case and he only insisted the driver to do the illegal activity, the petitioner is not entitled for discretionary relief of anticipatory bail. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
02/08/2022

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/08/2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

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

ORDER
IN
CRL OP (MD) No.13964 of 2022
Date :02/08/2022