



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

Tuesday, the First day of March Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.7810 of 2021

IN

CRL OP(MD) No.2230 of 2021

WEB COPY

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THOOTHUKUDI DISTRICT.
CR NO.152/2019.

... PETITIONER/RESPONDENT

Vs

PALANISAMY

... RESPONDENT/PETITIONER

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the Anticipatory Bail granted to the Respondent in Crl.O.P. (MD)No.2230/2021 dated 5/3/2021.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor for the petitioner, the court made the following order:-

This Criminal Miscellaneous Petition has been filed seeking orders to cancel the anticipatory bail granted to the respondent in Crl.OP(MD)No.2230 of 2021, vide order dated 05.03.2021.

2.The learned Government Advocate (Criminal Side) appearing for the State would submit that in the petition filed by the respondent in Crl.OP(MD)No.2230 of 2021, who was apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 109 and 379 IPC and Section 21(1) of Mines and Minerals Act, in Crime NO.152 of 2019, this Court has granted anticipatory bail to the respondent/petitioner by imposing certain conditions, directing him to deposit a sum of Rs.1 Lakh to the credit of Crime No.152 of 2021 along with other conditions.

3.The learned Government Advocate (Criminal Side) would further submit that this Court in Crl.OP(MD)No.10533 of 2021, vide order dated 05.08.2021 has directed the Prosecution to get instructions as to the stage of the investigation and the steps taken as against the persons, who have suppressed the real facts and projected the case as if 1 1/2 units sand alone have been transported and the steps taken by the present investigating agency to cancel the bail, which was granted to the other accused by projecting the case as if they have illegally transported 1 1/2 units of sand.



4.It is not in dispute that the prosecution has already filed a similar petition to cancel the bail granted to one Balamurugan and this Court vide order dated 02.11.2021, dismissed the petition.

5.It is pertinent to note that this Court has granted anticipatory bail to the petitioner as early as on 05.03.2021 and in pursuance of the same, the petitioner/Accused has also deposited a sum of Rs.1 laksh as directed by this Court.

6.The learned Government Advocate (Criminal Side) would submit that the investigation has already been completed and final report has already been filed.

7.The petitioner has not shown any valid reason or grounds for cancelling the anticipatory bail, which was granted long back.

8.Considering the above facts and circumstances of the case and also the facts that the petitioner has not assigned any valid or legal ground for cancelling anticipatory bail, that the investigation has already been completed and charge sheet has already been filed and also taking note of the dismissal of the similar petition for cancellation of anticipatory bail as against the co-accused, this Court is not inclined to allow this petition.

9.Accordingly, the Criminal Miscellaneous Petition is dismissed.

sd/-
01/03/2022

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

TO

1. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THOOTHUKUDI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL MP(MD) No.7810 of 2021
IN
CRL OP(MD) No.2230 of 2021
Date :01/03/2022

USK/VR/SAR-IV/10.03.2022/2P/3C

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