



WEB COPY



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

Date : 26/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.17147 of 2022

1. Karuppiah @ Raja
2. Subbiah

... Petitioners/Accused No.2 & 3

Vs

State rep.by
The Inspector of Police,
Keelavalavu Police Station,
Melur,
Madurai District.
(Crime No.191 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Sasikumar.C, Advocate

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.191/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 IPC & 21(5) of Mines and Minerals (Development and Regulation) Act 1957, in Crime No.191 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.08.2022 at about 04.00AM, the accused persons have attempted to transport odai sand for sale by using JCB vehicle. Hence, the complaint.



3. On the side of the petitioners, it is stated that the petitioners are innocent and they have not committed any such offence, as alleged by the prosecution. This is the second petition. The co-accused was already released on bail. Hence, prays to release them on anticipatory bail.

4. On the side of prosecution, it is stated that the first petitioner is having three previous cases and the second petitioner is not having any previous case at their credit. The accused persons had attempted to transport large quantity of sand, ie., to the tune of Rs.1 Crore. This Court already dismissed the earlier petition. Hence, prayed to dismiss the petition.

5. Considering the facts and circumstances of the offence, the fact that the accused had tried to transport large quantity of sand, the fact that the overt act attributed against the petitioners and also considering the nature of grave offence and strong objection raised by the prosecution, this Court is not inclined to grant anticipatory bail to them.

6. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
26/09/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

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

+1. CC to M/S.SASIKUMAR.C Advocate SR.No.10675

ORDER
IN
CRL OP(MD) No.17147 of 2022
Date :26/09/2022