



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

Date : 28/10/2022

PRESENT

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

CRL OP(MD) . No.18483 of 2022

1. Karuppiah @ Raja

2. Subbiah

... Petitioners/Accused No.2 & 3

Vs

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

... Respondent/Complainant

For Petitioners : M/s.Senthilkumar A,

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.191 of 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 earlier anticipatory bail petition filed by the petitioners was dismissed by this Court on 26.09.2022, considering the gravity of offence and the large quantity of mineral involved in this case.

3.Now, the petitioner has filed this third anticipatory bail petition, on the ground that the co-accused was already enlarged on bail by the lower Court. Hence, prays to enlarge him on anticipatory



4. On the side of prosecution, it is stated that though this the third petition, there is no change in circumstances. The worth of mineral involved is more than One Crore and the valuation report from the Assistant Director of Mining, Department of Geology and Mining is not yet received. The investigation is not yet completed and custodial interrogation of the petitioner is very much needed in this case. The first petitioner is having three previous cases and the second petitioner is not having any previous case at their credit. Considering the gravity of offence, vehemently opposed to grant anticipatory bail.

5. Considering the facts and circumstances of the offence, nature of grave offence and strong objection raised by the prosecution and also considering the huge quantity of mineral and the nascent stage of investigation, this Court is not inclined to grant anticipatory bail to them.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

28/10/2022

/ TRUE COPY /

/11/2022

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

TO

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

ORDER

IN

CRL OP(MD) No.18483 of 2022

Date :28/10/2022

SS/GB/SAR II/03/11/2022/ 2P 3C