



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/10/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.18874 of 2022

Vaitheeswaran

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Keeranur Police Station,
Pudukottai District.
(Crime No.321/2022).

... Respondent/Complainant

For Petitioner : M/s.Ganapathi Subramanian P,
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.321/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 5 of the Explosive Substances Act, 1908, Section 9(B)(1)(b) of the Indian Explosives Act, 1884, Section 379 IPC r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.321 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 12.10.2022, the accused was involved in the mining of rock stones, using explosive substances in the Government Puramboke land. Hence, the complaint.

3.On the side of the petitioner, it is stated that a false case was foisted against the petitioner. The petitioner is noway connected with the offence. The petitioner involved mining only in his patta land. The survey number and the value of the mineral were not mentioned in the FIR. Hence, prays to release him on anticipatory bail.



4. On the side of prosecution, it is stated that petitioner had used explosive substances for the purpose of mining from the Government Puramboke land and prayed to dismiss the petition.

5. Considering the facts and circumstances of the case, nature of the offence and overt act attributed against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

20/10/2022

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/11/2022

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

TO

1 THE INSPECTOR OF POLICE
KEERANUR POLICE STATION, PUDUKOTTAI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.18874 of 2022

Date :20/10/2022

PNM

MK/GB/SAR.II/01.11.2022/2P/3C