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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/11/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20890 of 2022

Usul @ Prasanth

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Kollidam Police Station,
Trichy District.
(Crime No.92/2022).

... Respondent/Complainant

For Petitioner : M/s.Dhandapandi T,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr No.92/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.92 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported ¼ unit of river sand by using bullock cart. Therefore, the present case came to be registered.

3.This is the third anticipatory bail application. Earlier anticipatory bail applications filed by the petitioner were dismissed by this Court on the ground that the petitioner is having previous cases in similar nature and he is a habitual offender. This petition came to be filed on the very same ground.



4.The learned Government Advocate (Crl. Side) submit at the petitioner is having another previous case under Section 302 IPC. Therefore, such a person cannot be released on anticipatory bail. He vehemently opposed the grant of anticipatory bail to the petitioner.

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5.Considering the submissions made by the learned Government Advocate (Crl. Side) and considering the antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. This petition deserves to be dismissed and accordingly, dismissed.

sd/-
25/11/2022

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/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

ORDER
IN
CRL OP(MD) No.20890 of 2022
Date :25/11/2022

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USK/SSS/SAR-II/19.12.2022/2P/3C