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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/12/2022

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.21856 of 2022

1. Murugan

2. Esakkimuthu @ Seethupathu ... Petitioners/Accused No.1&4

Vs

The State rep.by,
The Inspector of Police,
Moondradaippu Police Station,
Tirunelveli District.
Crime No.110 of 2022..

... Respondent/Complainant

For Petitioners : M/s.Velmurugan J,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.110 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 379 IPC in Crime No.110 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on receiving secret information, the respondent police conducted vehicle check up on 06.12.2022 and at that time, the petitioners herein and other accused have illegally transported one unit of "Karambai sand" worth about Rs.4,000/- by using Tipper Lorry bearing Regn.No.TN 72 BT 5324 in violation of the complaint.

<https://www.judiciary.gov.in/>



3. The learned Counsel for the Petitioners would submit that the Petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case and seeks anticipatory bail.

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4. The learned Government Advocate (Crl. Side) would submit that the petitioners herein have illegally transported one unit of "Karambai sand" worth about Rs.4,000/-. He further submitted that A1 is having eight previous cases of similar nature and the investigation of the case is pending and hence, he strongly opposes to grant anticipatory bail to the petitioners.

5. Heard the learned counsels and perused the materials available on record. Taking into consideration of the facts and circumstances of the case and that A1 is having eight previous case of similar nature and that the investigation of the case is pending, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
12/12/2022

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/01/2023

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

trp

TO

1. THE INSPECTOR OF POLICE,
MOONDRADAIPPU POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.21856 of 2022
Date :12/12/2022

RK/MMS/SAR-1 (03/01/2023) 2P/3C