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Crl.O.P.No.19842 of 2023

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G. CHANDRASEKHARAN, J.,

The petitioner namely Syed Beerane @ Said Pirane, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 379 of IPC, in Crime No.0050 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that petitioner is an innocent person and he has been falsely implicated in this case. Apprehending arrest in Crime No.0050 of 2023 registered for the offences under Section 379 of IPC, this petition is filed by the petitioner.

3. In response, learned Additional Public Prosecutor (Puducherry) submitted that the petitioner had sold Rs.1,00,000/- worth of sand belonging to the puducherry canal by unauthorisedly digging 1210M channel of Odaithopu Kanni, Servari Vaickal, Pidari Kattalai Kanni and removing 2185 cubic meters of soil. The vehicle and the sand were not seized.



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4. Considered the rival submissions and perused the materials available on record.

5. This is the second anticipatory bail petition. The earlier anticipatory bail petition filed by the petitioner in CrI.O.P.No.14265 of 2023 was dismissed on 18.07.2023.

6. It is informed by the learned Additional Public Prosecutor that, the vehicle used for stealing sand bearing registration No.PY 01 AA 0992 is still not seized for the reason that, accused is absconding.

7. Considering the facts and circumstances of the case, abscondance of the accused, necessity to secure the accused to seize the vehicle involved in sand theft, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

31.08.2023

nsa



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