



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/03/2023

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.5827 of 2023

Sakthivel

... Petitioner/Accused No.3

Vs

The State Represented by
The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.
[Crime No.634 of 2021]

... Respondent/Complainant

For Petitioner : Mr.R.L.Dilipan Pandian
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.634 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner / accused No.3 apprehending arrest in Crime No.634 of 2021, on the file the respondent Police, for the offence punishable under Section 379 IPC and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 seeks anticipatory bail.

2.The case of the prosecution is that the petitioner illegally transported $\frac{1}{4}$ unit of river sand in the bullock carts. Hence the complaint.

3.The learned Government Advocate [Crl Side] appearing for the State submits that the earlier anticipatory bail applications were dismissed by this court considering the antecedent of the petitioner. This is the third anticipatory bail application.

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



The petitioner has involved in five other cases and two of them are under investigations, in three cases the petitioner was convicted.

4. On the contrary the learned Counsel for the petitioner disputed that the petitioner had involved only in two previous cases.

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5. In reply the learned Government Advocate [Crl Side] based on the instructions, has furnished the case details as follows:

Sl. No	Crime No & Police Station	Section	Status
1	Crime No.172 of 2019, Adirampattinam PS	21(1) of the Mines and Mineral Act r/w 379 IPC	Under Investigation
2	Crime No.72 of 2019, Adirampattinam PS	21(1) of the Mines and Mineral Act r/w 379 IPC	Under Investigation
3	Crime No.22 of 2017, Adirampattinam PS	21(1) of the Mines and Mineral Act r/w 379 IPC	Convicted by RDO
4	Crime No.145 of 2016, Adirampattinam PS	294(b), 323, 342 IPC	Convicted by Court
5	Crime No.22 of 2015, Adirampattinam PS	21(1) of the Mines and Mineral Act	Convicted by Court

6. Considering the antecedents of the petitioner that apart from this case two more cases are under investigation, this Court is not inclined to entertain this petition at this stage. Accordingly, this criminal original petition is dismissed.

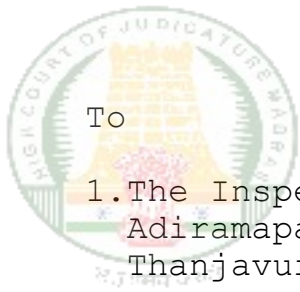
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/06/2023

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

DSK



CRL OP(MD)



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To

1. The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No. 5827 of 2023
Date : 30/03/2023

NA/BUC/SAR- /01.06.2023/3P/3C