



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/04/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.6507 of 2023

Kani @ Arumugakani,

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Murappanadu Taluk Police Station,
Thoothukudi District..

... Respondent/Complainant

For Petitioner : Mr.R.M Suresh, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 40 of 2020 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of IPC and Section 21 (1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.40 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused have illegally transported 1 unit of river sand by using Tempo. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this the third anticipatory bail petition. Earlier anticipatory bail Petition filed by the petitioner in Crl.OP(MD)No.9911 of 2022 was dismissed by this Court on 20.06.2022, on the ground that the petitioner is having a similar case in crime No.118 of 2019. Then the second petition has also been filed in Crl.O.P.(MD).No.17023 of 2022 on the ground that investigation in Crime No.40 of 2020 has



been completed and the final report was also filed before the concerned Court. But, since the petitioner is continuously involved in illegal sand mining activities, and having three previous cases, this Court dismissed that petition also.

4. This is the third application filed by the petitioner stating that co-accused in this case was released. But, that cannot be the reason for granting anticipatory bail to the petitioner. I find absolutely no change of circumstances. This petition deserves to be dismissed.

5. Accordingly, this criminal original petition is dismissed.

sd/-

10/04/2023

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/04/2023

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

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TO

- 1 THE INSPECTOR OF POLICE
MURAPPANADU TALUK POLICE STATION,
THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6507 of 2023

Date : 10/04/2023

PKP/BUC/SAR-4/17.04.2023/ **2P/3C**