



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12490 of 2023

Subramani @ Subramaniyam

... Petitioner/ Accused No.2

Vs

The State represented by
The Inspector of Police,
Thiruvidadaimaruthur Police Station,
Thanjavur District.
Crime No.486 of 2022..

... Respondent/Complainant

For Petitioner : M/s.Karunakaran K.M.,
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.486 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

<https://www.madras.hc.go.in> The petitioner/ Accused No.2, apprehending arrest at the hands of the respondent



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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.486 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that without any valid permission, the petitioner along with other accused were digging the land up to 3 ft., and illegally transported the Savudu sand by using JCB and Tipper lorry. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this the fourth anticipatory bail petition, earlier anticipatory bail Petitions filed by the petitioner in Crl.OP(MD) Nos.11057, 14139 and 19183 of 2022 were dismissed by this Court, on the ground that the petitioner is continuously involved in illegal sand mining activities. He further submitted that this anticipatory bail petition was filed mainly on the ground that the co-accused was arrested and thereafter, released on bail by the learned Principal Sessions Court, Thanjavur. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate(Crl.Side) appearing for the respondent police submitted that without any valid ground, the present petition has been filed by the petitioner.

5. Considering the fact that there is no change of circumstances and the bail



granted to the co-accused which cannot be extended to this petitioner also, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-
10/07/2023
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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-10506[I] dated 11/07/2023)

ORDER
IN
CRL OP(MD) No.12490 of 2023
Date :10/07/2023

SS/BUC/25/07/2023/3P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023