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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15020 of 2023

N.Arivazhagan

... Petitioner / Accused No.1

Vs

The State represented by
The Inspector of Police,
Avudaiyarkovil Police Station,
Pudukottai District.
Cr.No.119 of 2023.

... Respondent/Complainant

For Petitioner : M/s.K.Khari Kharadas
Advocate.

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.119 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1 apprehends arrest at the hands of the respondent police for the offences under Sections 379 of IPC and Section 21(1), 21(2) of Mines and minerals (Development & Regulation) Act, 1957, in Crime No.119 of 2023, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 03.08.2023, at about 9.00 a.m., on receiving an information about sand theft, the police team went to the occurrence place and conducted vehicle checkup, found four bullock carts with 1 unit of ($\frac{1}{4}$ unit each) of river sand without valid permit. On seeing the police, the riders of the bullock cart were escaped from the place. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. They have not committed any offence as alleged by the prosecution.

4. Learned Government Advocate (Crl.side) would submit that the petitioner is having two previous cases in Crime No.479 of 2020 and Crime No.75 of 2019. In this case, the petitioner has illegally transported $\frac{1}{2}$ unit of river sand.

5. Considering the nature of the mineral involved, and the fact that the petitioner has involved in two previous cases, this Court is not inclined to grant relief to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

18/08/2023

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/09/2023

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



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- 1 THE INSPECTOR OF POLICE
AVUDAIYARKOVIL POLICE STATION,
PUDUKOTTAI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.15020 of 2023
Date :18/08/2023

SS/VRS/11/09/2023/3P/3C

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