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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15812 of 2023

Sivapandian

... Petitioner/ Accused No.2

Vs

The State represented by
The Inspector of Police,
Nagaiahpuram Police Station,
Madurai District,
Cr.No.54 of 2021.

... Respondent/ Complainant

For Petitioner : M/s.PR.Boomee Rajan
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.54 of 2021 on the file of the Respondent police.



ORDER : The Court made the following order :-

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The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 379 of IPC and 4(1)(1A),21(5) of Mines and Minerals (D&R) Act, 1957, in Crime No.54 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 09.04.2021, the petitioner alleged to have committed theft of one unit of rock sand in his Tipper lorry without permission or proper licence. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) would submit that the petitioner was granted anticipatory bail by this Court by order dated 01.10.2021. Thereafter he filed a petition for extension of time to comply the conditions and that petition was considered. Even after getting an order of extension of time, the petitioner has not complied the conditions and since the order automatically stood cancelled.

5. I find no reason to entertain this petition. Once the petitioner obtained an order of anticipatory bail, he ought to have complied the conditions strictly. Without

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complying the conditions, even after getting extension of time for compliance, filing of repeated petitions will amount to clear abuse of process of the Court.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

04/09/2023

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/09/2023

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

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TO

1 THE INSPECTOR OF POLICE
NAGAIAPURAM POLICE STATION,
MADURAI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.15812 of 2023

Date :04/09/2023

SSA/VRS/14.09.2023/3P/3C

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