



CRL OP(MD). No.17253 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17253 of 2023

Gnanamoorthi Sundar

... Petitioner/ Accused No.1

Vs

The State represented by
The Inspector of Police,
Meignanapuram Police Station,
Thoothukudi District.
Crime No. 47/2023.

... Respondent/Complainant

For Petitioner : M/s.Narayanakumar K.P,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 47 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ accused, who apprehend arrest at the hands of the respondent



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Police for the offence punishable under Sections 464, 420 of IPC and section 21(4) of Mines and Minerals (Development and Regulation) Act 1957, in Crime No.47 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution that the petitioner along with the other accused created a forged hologram and illegally transported 2 units of broken granite stones. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent persons and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to comply any stringent condition that may be imposed by the Court.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that on 14.06.2023, at about 11.30 a.m., the Assistant Geologist of Mines and Minerals Department intercepted the Swaraj Mazda vehicle bearing registration No.TN 19 AT 1903, at that time it was found that by using forged hologram, the petitioner transported the stones. He further submitted that the genuineness of the hologram will be verified by the concerned Department.



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5. Considering the gravity of the offence, the earlier application filed by the petitioner seeking anticipatory bail was dismissed by this Court with a direction to the petitioner to surrender before the respondent police.

6. On the ground that the petitioner has received the trip sheet from the quarry owner, who is a licensed person, without verifying the genuineness of the document, he has transported the stones, this petition has been filed. The learned Additional Public Prosecutor would submit that on verification it was found that the holograms and seals are forged.

7. In view of the submissions made by the learned Additional Public Prosecutor, this Court is of the view that custodial interrogation of the petitioner is necessary. I find absolutely no change of circumstances. Already there was a direction to the petitioner to surrender before the respondent. Without complying the above said order, he has filed this petitioner again, which is not maintainable.

8. Accordingly, this criminal original petition stands dismissed.

sd/-
26/09/2023

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

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TO

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

ORDER

IN

CRL OP(MD) No.17253 of 2023

Date :26/09/2023

SS/JGB/SAR- /31/10/2023/4P/3C

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