



CRL OP(MD). No.16611 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16611 of 2023

Shanmugavel

... Petitioner/ Accused No.1

Vs

The State, through
The Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District.
(Crime No.229 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.J.Jeyakumaran,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.229 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 379 I.P.C, and Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.229 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 08.09.2023 at about 10.30 a.m, on secret information received, the respondent Police conducted vehicle check up, at Melavaragunaramapuram grave yard road, the petitioner was found in illegal transportation of one unit of gravel sand using Tractor bearing Registration No.TN 49 AE 3791 along with Tractor. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any such offence as alleged by the prosecution. The gravel is transported for his personal use not for sale.

4. The learned Government Advocate (Crl.Side) would submit that, the petitioner is involved in five previous cases, among which, two cases are similar in nature.

5. Considering the facts and circumstances of this case and also considering that the petitioner is involved in five previous case, among which, two cases are similar in nature, this Court is not inclined to grant anticipatory bail to the petitioner. This petitioner is not entitled for any discretionary relief. Hence,



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anticipatory bail petition deserves dismissal and accordingly dismissed.

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13/09/2023

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

INDU

TO

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

ORDER
IN
CRL OP(MD) No.16611 of 2023
Date :13/09/2023

SS/VRS/12/10/2023/3P/3C

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