



CRL OP(MD). No.16942 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16942 of 2023

Nagoor @ Nagooran

... Petitioner/ Accused No.1

Vs

State Rep.by

The Inspector of Police,

Seithur Police Station,

Virudhunagar District.

Crime No.193 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Saravanakumar P, 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.193 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. r/w. Section 21(4) of Mines and Mineral (Development and Regulation Act), 1957, in Crime No.193 of 2023 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that on 27.07.2023 at about 13.00 p.m., when the

defacto complainant was in patrol duty at Sookanathaninputhur Kanmai, they found



CRL OP(MD). No.16942 of 2023

WEB COPY

a Mahindra Tractor bearing Registration No.TN 59 AX 1838. On seeing a Police party, the person who sat on the trailer escaped from the place and the Police found ½ unit of stone, worth about Rs.1,000/- without proper permit. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioner is an innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that the petitioner is involved in three previous cases, which are similar in nature.

5. Even though the learned counsel for the petitioner submitted that the petitioner is ready to file an undertaking affidavit, considering the fact and circumstances of this case and also considering the bad antecedent of these petitioners, this Court dismissed the earlier application filed by the petitioner.

6. According to the FIR, this petitioner on seeing police parties, fled away from the scene of occurrence. The learned counsel for the petitioner would submit that even as per the FIR, he is the owner of the vehicle, as per the RC book, one M. Ramar is the real owner of the vehicle. The petitioner is not available along with the Tractor.

7. However, considering the bad antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.



CRL OP(MD). No.16942 of 2023

8. Accordingly, this Criminal Original Petition stands dismissed.

WEB COPY

sd/-
20/09/2023

/ TRUE COPY /

/10/2023

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

TM
TO

1 THE INSPECTOR OF POLICE, SEITHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER IN
CRL OP(MD) No.16942 of 2023
Date :20/09/2023

RS/DD/SAR-(19.10.2023) 3P 3C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023