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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17170 of 2023

T.R.Justin

... Petitioner/ Accused No.4

Vs

The State, through
The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.
(Crime No.148 of 2023).

... Respondent/Complainant

For Petitioner : Mr.A.Robinson,
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.148 of 2023 on the file of the
Respondent Police



ORDER : The Court made the following order :-

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The petitioner/Accused No.4, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 379 IPC and Sections 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.148 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 13.09.2023 at about 11.00 a.m., on received secret information, the defacto complainant along with the other Police officers visited the first accused's place and seized a compressor vehicle bearing registration No.TN 72 X 0958 and a Hitachi that was used for breaking the rocks in the first accused's land that was extends about 40.635 Cents in Survey No.738/31. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is the owner of the above said land and the Hitachi. The accused Nos.1 to 3 are the operators of compressor as well as the Hitachi. The Hitachi was used only for the purpose of clearing the pathway to the accused No.1's house.



4. The learned Government Advocate (Crl.Side) would submit that one previous case is pending against the petitioner, which is in similar nature.

5. Considering the facts and circumstance and also considering the previous antecedents of the petitioner, this petitioner is not entitled for any discretionary relief. Hence, this anticipatory bail petition deserves dismissal and accordingly dismissed.

sd/-
25/09/2023

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

TO

1 THE INSPECTOR OF POLICE
ARUMANAI POLICE STATION,
KANYAKUMARI DISTRICT,

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



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ORDER

IN

CRL OP(MD) No.17170 of 2023

Date :25/09/2023

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