



CRL OP(MD). No.20492 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20492 of 2023

Mahalingam @ Sundaramahalingam ... Petitioner/Petitioner/ Accused No.5

Vs

The State represented by
The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.
Crime No. 346 of 2023.

... Respondent/Complainant

For Petitioner : M/s Sankara Pandian.J,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 346 of 2023 on the file of the respondent Police.



CRL OP(MD). No.20492 of 2023

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ORDER : The Court made the following order :-

This is the second anticipatory bail application. The petitioner/ Accused No.5, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Section 379 I.P.C r/w Sections 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.346 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on getting secret information with regard to the sand theft, when the respondent Police reached Kaali temple situated at Srivilliputhur, Tiruvannamalai, they found the accused engaged in theft of sand by using JCB vehicle bearing Registration No.TN 67 AX 8330 in two tractors illegally. Therefore, the present case came to be registered.

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



CRL OP(MD). No.20492 of 2023

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4. The learned Additional Public Prosecutor (Crl.side) would submit that the earlier application of the petitioner was dismissed by stating that this petitioner is having previous cases in similar nature. There is no change in circumstances.

5. Considering the submission of the learned Additional Public Prosecutor (Crl.side) that there is no change in circumstances, this Court is not inclined to grant relief to the petitioner herein.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
10/11/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG

TO

1 THE INSPECTOR OF POLICE
SRIVILLIPUTHUR TOWN POLICE STATION,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.



CRL OP(MD). No.20492 of 2023

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

ORDER
IN
CRL OP(MD) No.20492 of 2023
Date :10/11/2023

SS/VRS/SAR- /23/11/2023/4P/3C

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