



CRL OP(MD). No.6792 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6792 of 2024

Raja

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
Crime No.152 of 2023

... Respondent/ Complainant

For Petitioner : M/s.K.M.Karunakaran, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.152 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioner in Crime No.152 of 2023 for the offence under Section 379 IPC r/w. 21(1) of Mines and Minerals (Development & Regulations) Act 1957. Therefore, the petitioner has filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported 1/2

unit river sand by using TATA 407 Van.

<https://www.mhc.tn.gov.in/judis>



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3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent strongly opposes to grant bail on the ground that the petitioner is having four previous cases of similar in nature. He further submits that this is the second anticipatory bail application and the earlier application filed by the petitioner in Crl.O.P.(MD)No.5963 of 2024, was dismissed by this Court on 18.04.2024.

5.Considering the antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Petition is dismissed.

6.It is needless to say that any tool or instrument or vehicle used for illegal quarrying / transportation of sand is liable to be seized under Section 21(4) of the Mines and Minerals(Development & Regulation) Act, 1957 and any vehicle or instrument or tool which has been seized under Section 21(4) of the Mines and Minerals (Development & Regulation) Act, 1957, is liable to be confiscated.

sd/-
12/06/2024

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/07/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE INSPECTOR OF POLICE, PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.6792 of 2024

Date :12/06/2024

RS/GS/SAR-(03.07.2024) 3P 3C

Madurai Bench of Madras High Court is issuing
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