

In the Court of Vacation Sessions Judge, Kanniyakumari District at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.,
Vacation Sessions Judge./Principal Sessions Judge,
Kanniyakumari at Nagercoil.

Thursday, the 23rd day of May, 2024.

CrI.M.P. No.157/2024

(CNR.No.TNKK0V-000231-2024)

Gilginraj S/o. Sundar Raj (A7)

.. Petitioner

/Vs./

Sub Inspector of Police,
Anjugramam Police Station,
Crime No. 152/2024 of Anjugramam Police Station,
Rep. by P.P. Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru N. Chellappan, u/s 438 Cr.P.C.
praying to grant anticipatory bail to the petitioner.

ORDER

Heard both sides. Perused the petition.

The petitioner/accused alleged to have been committed the offences u/s
379 of IPC.

The case of the prosecution is that on 09.05.2024 at about 5.00 A.M.,
while the police party were on rounth duty at Kavalkinaru to Kanyakumari bypass,
they intercepted 6 vehicles bearing Regn. Nos. TN 75 AX 2277, TN 75 AW 3366, TN
75 AV 6066, TN 75 AV 1188, TN 74 AK 7978 and TN 75 BA 4950 and found that

the vehicles had M-sand and Blue metals and eventhough the vehicles had pass, they were charged for overloading than the permitted quantity. Hence the charge.

The learned counsel for the petitioner submitted that the case has been cooked up against the petitioner by the informant only for statistical purpose and the petitioner's name has been implicated, since he is the owner of the vehicles and the investigation in this case is almost over and the vehicles along with contraband were seized and co-accused/A1 to A6 were arrested and remanded to judicial custody and the petitioner is ready to abide by any condition and prayed for anticipatory bail to the petitioner.

The learned Public Prosecutor opposed the application and submitted that on 09.05.2024 at about 5.00 A.M., A1 to A6 illegally transported M-sand and jalli in six Taurus lorries to Kerala and A1 to A6 were arrested by the respondent police and this petitioner is the owner of six lorries and A1 to A6 illegally transported M-sand and jalli with knowledge and consent of this petitioner and this petitioner is having culpable mental state and the petitioner is having 5 other cases and out of 5 case, 4 cases under MMDR Act and Section 41(A) Cr.P.C. notice has been given to the petitioner and he was directed to appear before the respondent police today on 10.00 A.M. and the petition may be dismissed.

Considered the objection of the learned Public Prosecutor. Considering the nature of the offences alleged to have been committed by the petitioner and also considering the previous antecedents of the petitioner, this court is not inclined to grant anticipatory bail to the petitioner/accused at this stage. Hence, this petition is dismissed.

In the result, this petition is dismissed.

Pronounced by me in open court this the 23rd day of May, 2024.

Vacation Sessions Judge.