



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Fourteenth day of May Two Thousand Fifteen

PRESENT

THE HON'BLE MR JUSTICE G.CHOCKALINGAM

CRL OP(MD) No.8517 of 2015

MOHAMMED IBRAHIM SATE

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, MADURAI,
MADURAI DISTRICT. CR.NO.21/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.KATHIRVELU, SENIOR COUNSEL FOR
M/S.S.SARAVANAKUMAR Advocate

For Respondent : M/S.SHANMUGA VELAYUTHAM, STATE PUBLIC PROSECUTOR,
ASST. BY MR.RAMACHANDIRAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

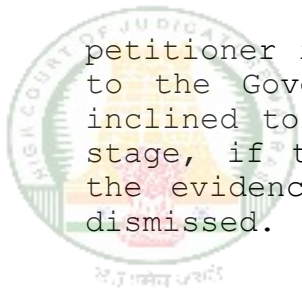
The petitioner/A1 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379, 430, 447, 434, 304(ii) r/w 511 IPC and 3(1) TNPPDL Act and 3(a) and 4(a) Explosive Substances Act in Crime No.21 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner got licence from the Government for operating quarry in Survey No.379, 5B, 5C, 5D, 5E, 5F and 5G of Keelavalavu Village, Melur Taluk, Madurai District, to an extent of 0.42.0 Hectors. The petitioner and his Associates have violated the terms and conditions imposed in the said licence to carry out quarry operation in the said land. Further, they have illegally encroached the Government Water Tank.

3. The learned counsel for the petitioner submitted that in this case, this Court has already granted bail to the other accused only on the ground of violation of mines and minerals Rules and hence, this Court may grant bail to this petitioner also.

4. However, the learned Public Prosecutor appearing for the State contended that that order is not relating to this crime number and it relates to some other crime number. Further, he submitted that the petitioner and others have committed a serious offence, by way of illegal quarrying in the leasehold land and thereby causing loss to the Government to the tune of Rs.58.50 crores.

5. In view of the above submission of the learned Public Prosecutor that the order referred by the learned counsel for the petitioner does not relate to the present crime number and the fact that the FIR relating to that order is not produced and though the offence commenced from 2009 as mentioned in the FIR, still the investigation is pending and the



petitioner is alleged to have involved in a serious offence causing loss to the Government to the tune of Rs.58.50 Crores, this Court is not inclined to grant anticipatory bail to the petitioner. Further, at this stage, if the accused is released on anticipatory bail, he will tamper the evidences and hamper the investigation. Hence, this petition is dismissed.

sd/-
14/05/2015

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, MADURAI, MADURAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SARAVANAKUMAR Advocate SR.No. 25728

SR/KBM : 19.05.2015 : 2P/4C

ORDER
IN
CRL OP(MD) No.8517 of 2015
Date :14/05/2015