

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

Wednesday, the Twenty Ninth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.6899 of 2019

NAVEEN KUMAR

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
VANGAL POLICE STAION,
KARUR DISTRICT.
(CRIME NO.116 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.SATHYA CHIDAMBARAM, Advocate

For Respondent : Mr.R.ANANDARAJ, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused (rank not known), apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 379 of IPC. and Section 21(1) of Mines and Minerals (Development and Regulation) Act, in Crime No.116 of 2019, seeks anticipatory bail.

2.The case of the prosecution is that on 03.05.2019, the Revenue Divisional Officer, Karur, during his regular Sand Patrol and check up, found that the petitioner have transported three units of river sand illegally. Thus, on complaint, a case has been registered against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he did not commit any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the property, which was used for commission of offence, was recovered and the investigation is not yet completed.

5.The submissions made by the learned counsel on either side are considered. It is alleged that during the time of occurrence, the petitioner and other accused in this case by using two JCB and two lorries committed an offences of Sand theft. Even though the properties used by the petitioner and other accused were recovered by the respondent police, it is necessary to see the gravity of the offences committed by the petitioner. All are aware that as of now, the entire environment has been changed due to the serious offences of these nature. Accordingly, I am of the opinion that the petitioner and other accused committed the offence of sand theft with previous intention. Hence, this Court is not inclined to grant anticipatory bail to this type of petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
29/05/2019

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
VANGAL POLICE STAION,
KARUR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.6899 of 2019
Date :29/05/2019

MS/VR/SAR-4/04.06.2019/2P.3C

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