

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.08.2020

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.11968 of 2020

Murugan

... Petitioner

Vs.

The State Represented by,
The Sub-Inspector of Police,
Kalasapakkam Police Station,
Thiruvannamalai District.
Crime No.2123 of 2020 ... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest concerned in Crime No.2123 of 2020 pending on the file of the respondent.

For Petitioner : Mr.B.S.Manikandan

For Respondent : Mr.K.Prabakar,
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 of IPC read with Section 21(5) of Mines and Minerals (Development and Regulation) Act 1957 and Section 3 of Tamil Nadu Public Property (Prevention of Damages and Loss) Act in Crime No.2123 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner has transported 1 unit of river sand illegally by using his van without any valid licence. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. On instruction, he would further submit that taking into consideration the present Covid pandemic situation the petitioner is prepared to donate/pay some considerable amount to any charitable organization or association without prejudice to his defence and prayed for anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the quantity of river sand involved is 1 unit. He further submitted that the petitioner has six previous cases pending against him which is similar in nature.

5. Taking into Consideration the facts and circumstances of the case and submissions made by the counsel and the fact that the petitioner has involved in 6 previous cases of similar in nature registered by the respondent police, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
12/08/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KALASAPAKKAM,
THIRUVANNAMALAI DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUB INSPECTOR OF POLICE,
KALASAPAKKAM POLICE STATION,
THIRUVANNAMALAI DISTRICT

+1 CC to M/S.B.S.MANIKANDAN Advocate on payment of
necessary charges SR.NO.5918

CRL OP.11968/2020

Date :12/08/2020

GKS:20/08/2020