

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.08.2020

CORAM

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

Cr1.O.P.No.13099 of 2020

Ramachandran

... Petitioner

Vs.

State rep by

The Station House Officer,
Oragadam Police Station,
Kancheepuram District,
Crime No.478 of 2019.

... Respondent

PRAYER: Criminal Original Petition filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest concerned in Crime No.478 of 2019 pending on the file of the respondent.

For Petitioner : Mr.A.T.Anbu Kumar

For Respondent : Mr.M.Mohamed Riyaz
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 and 430 of IPC r/w 21(1) of Mines and Minerals (Development and Regulations) Act 1957, in Crime No.478 of 2019, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner has transported 9 units of river sand illegally by using his two Lorries 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 for statistical purpose. 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 grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the quantity of river sand involved is 9 units. The owner of Lorry bearing Registration No.TN47AH2764 carried one unit. He further submitted that the petitioner has two previous cases of similar nature pending against him. However, he opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances and the submissions made by the learned counsel and the fact that the petitioner has two previous cases of similar nature pending against him, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this criminal original petition stands dismissed.

-sd/-
27/08/2020

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, SRIPERUMBUDUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE STATION HOUSE OFFICER,
ORAGADAM POLICE STATION,
KANCHEEPURAM DISTRICT.

CC to A.T.ANBU KUMAR Advocate on payment of necessary charges

CRL OP.13099/2020

Date :27/08/2020

MK:14/09/2020