

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.08.2020

CORAM :

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

Cr1.O.P.No.12978 of 2020

G.Thiyagu

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Baluchettychathram Police Station,
Baluchettychathram,
Kanchipuram District.
(Crime No.409 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 in Crime No.409 of 2020, pending investigation on the file of the respondent police.

For Petitioner : Mr.K.G.Senthilkumar

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 Act 1957 and Section 3(1) of TNPPDL Act, in Crime No.409 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 2 unit of river sand illegally by using the Bullock Cort 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. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the quantity of river sand involved is 2 units. He further submitted that there is two previous case pending against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and that there are two previous cases pending as against the petitioner. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
25/08/2020

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 JUDICIAL MAGISTRATE,
NO.I, KANCHIPURAM,
KANCHIPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
BALUCHETTYCHATHRAM POLICE STATION,
BALUCHATTYCHATHRAM,
KANCHIPURAM DISTRICT.

CC to M/S.K.G.SENTHILKUMAR Advocate on payment of necessary charges

CRL OP.12978/2020

Date :25/08/2020

cs 04/09/2020