

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.13066 of 2020

Ashokan @ Ashok

... Petitioner

Vs.

State by its,
The Sub-Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram,
Kanchipuram District,
Crime No.2197 of 2020.

... 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.2197 of 2020 pending on the file of the respondent.

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 of TNPPDL Act, in Crime No.2197 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 3 units of river sand illegally by using his Lorry 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 grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the quantity of river sand involved is 3 units. He further submitted that the petitioner has four previous cases pending against him, out of which three cases are of similar nature. 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 four previous cases pending against him, out of which three cases are of similar nature, 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 JUDICIAL MAGISTRATE NO.II,
KANCHIPURAM, KANCHIPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUB-INSPECTOR OF POLICE,
KANCHI TALUK POLICE STATION,
KANCHIPURAM,
KANCHIPURAM DISTRICT.

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

CRL OP.13066/2020

Date :27/08/2020

MK:14/09/2020