

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.OP.No.14186 of 2020

Pawankumar

... Petitioner

Vs.

State rep. By its
The Inspector of Police,
Mangalam Police Station,
Tiruvannamalai District.
(Cr. No.1365 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.1365 of 2020 on the file of the respondent police.

For Petitioner : Mr.D. Balaji

For Respondent : Mr.M.Mohammad Riyaz
Additional Public Prosecutor

O R D E R

(This case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 379 & 430 IPC r/w 3(2) of T.N.P.P.D.L. Act, 1992 in Crime No.1365 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that on the date of occurrence, during regular search, the respondent police found two units of lake sand has been illegally transported in a Tipper Lorry bearing Registration No.TN-28-AB-3831 from Kedathangal Lake, Kedathangal Village, Tiruvannamalai, without any permit or valid licence. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the quantity of sand involved in this case is two units. He further submits that the petitioner without obtaining any permission from the Government had illegally dugged the land and transported sand, thereby degraded the environment and caused damages to the ecology. Hence he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. This Court is of the opinion that these types of cases are impacting large Magnitude and the petitioner is misusing the discretionary of this Court and continues with the offences affecting the environment and ecology.

6. In view of the order passed by this Court in CrI. OP No.13334 of 2020 etc. Batch, dated 03.09.2020, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

11/09/2020

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 PRINCIPAL DISTRICT SESSIONS JUDGE,
TIRUVANNAMALAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
MANGALAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.

CC to M/S. D.BALAJI Advocate on payment of necessary charges

CRL OP.14186/2020

Date :11/09/2020

MK:23/09/2020