

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.09.2020

CORAM :

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

Cr1.O.P.No.13819 of 2020

1. Srinath
2. Anvesh
3. Surya

... Petitioners

Vs.

The State Represented by,
The Station House Officer,
Thakkolam Police Station,
Vellore District.
(Crime No.259 of
2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.259 of 2020 on the file of respondent Police.

For Petitioners : Mr.D.Dayalan
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 379 and 430 of IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act 1957 in Crime No.259 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have transported five units of sand illegally through a JCB, without any permit or valid licence. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case and that the

petitioners have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the quantity of river sand involved is five units. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. This court is of the opinion that these type of cases are impacting large Magnitude and the petitioners are misusing the discretionary power 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.O.P.No.13334 of 2020 etc., batch dated 03.09.2020, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
07/09/2020

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 JUDICIAL MAGISTRATE,
ARAKKONAM

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATION HOUSE OFFICER,
THAKKOLAM POLICE STATION, VELLORE DISTRICT

+1 CC to M/S.D.DAYALAN Advocate on payment of
necessary charges SR.NO.6165

CRL OP.13819/2020

Date :07/09/2020

GKS:17/09/2020