

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.14202 of 2020

1.Murali,

S/o.Rajendran Muruvan

2.Venkatesan,

S/o.Govindaraj

3.Parthiban,

S/o.Elumalai

... Petitioners

Vs.

State rep.by,

The Inspector of Police,
Brammadesam Police Station,
Villupuram District.

Crime No.1283 of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., to enlarge the petitioners on bail in the event of arrest in connection with the Crime No.1283 of 2020 on the file of the respondent police.

For Petitioner : Mr.G.Mohammed Aseef

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 offences punishable under Section 379 of IPC, in Crime No.1283 of 2020, seek anticipatory bail.

2. The case of the prosecution is that while the respondent Police along with the Revenue Inspector searched a quarry in Namakkal Village at Marakanam Taluk, found that the first accused / Sivanandam and the petitioners herein were quarrying succulent stones with the help of rock breaker machine, after expiry of the license period. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that the petitioners are innocent and they have been falsely implicated in this case. The petitioners are only driver of the machines used for

quarrying and they don't know about the fact that the license of the quarry was expired. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the petitioners without permission from the Government, had quarried the succulent stones and thereby degraded the environment and caused damages to the ecology. 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 petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

14/09/2020

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,
NO.II, TINDIVANAM

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
BRAMMADESAM POLICE STATION,
VILLUPURAM DISTRICT.

CC to M/S. G.MOHAMMED ASEEF Advocate on payment of necessary charges

CRL OP.14202/2020

Date :14/09/2020

RD 22/09/2020