

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.16969 of 2020

M.Kannan

... Petitioner

Versus

The State, rep. by its
Inspector of Police,
Koradacheri Police Station,
Tiruvarur District.
(Crime No.1451 of 2020) ... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C., to enlarge the petitioner on bail in Crime No.1451 of 2020 on the file of the respondent police.

For Petitioner : Mr.A.Yamuna
For Mr.G.Arun

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl.Side)

O R D E R

(This case has been heard through video conferencing)

The petitioner, who was arrested and remanded to judicial custody on 17.09.2020 for the offences punishable under Sections 430 and 379 of IPC r/w 21(1) of Mines and Minerals [Regulation and Development] Act, 1957, in Crime No.1451 of 2020, on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner has committed theft of half unit of river sand illegally by using bullock cart without any permit or valid license. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged in the prosecution and he has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner has committed theft of half unit of river sand illegally by using

bullock cart without any permit or valid license. He would submit that there is no previous case as against the petitioner. However, he opposed to grant bail to the petitioner.

5. Heard the learned counsels and perused the materials placed on record.

6. Taking into consideration the facts and submissions made by the learned counsels and the fact that the petitioner has been arrested from the place of occurrence, since this Court had already given so many directions that no one should dig natural resources like river sand or savudu sand or other things and despite that, the people are doing the same thing with connivance of the police people and also revenue people and that a Division Bench of this Court has already passed stringent orders and has also made queries that how many cases have been registered against the officials concerned? considering the serious nature of the offence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

22/10/2020

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,
TIRUVARUR.

2 THE OFFICER INCHARGE,
DISTRICT PRISON, NAGAPATTINAM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KORADACHERI POLICE STATION,
TIRUVARUR DISTRICT.

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

CRL OP.16969/2020

Date :22/10/2020

MK:02/11/2020

<https://hcservices.ecourts.gov.in/hcservices/>