

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2020

CORAM:

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.16953 of 2020

Vaithiyalingam

... Petitioner/Accused

Vs.

State rep. By
The Inspector of Police,
Oomangalam Police Station,
Cuddalore District.
Crime No.628 of 2020.

... Respondent/Complainant

PRAYER: This Criminal Original Petition filed under Section 438 of Cr.P.C., seeking to enlarge the petitioner on bail in the event of his arrest pending investigation in Crime No.628 of 2020 on the file of the Inspector of Police, Oomangalam Police Station, Cuddalore District.

For Petitioner : Mr.M.Selvam

For Respondent : Mr.Charles Prem Kumar
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 of IPC r/w.21(1) of Mines and Minerals (DR) Act in Crime No.628 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported one ton of NLC Gravel sand in the tipper attached to the tractor bearing Registration No.TN 27 X 2486 and on seeing the police, the petitioner has abandoned the tractor and ran away. On inspection of the vehicle, they found one unit of river sand in the trailer attached to the tractor and the same was seized under Mahazar and brought to the Police Station and the case under Sections 379 of IPC r/w.21(1) of Mines and Minerals (DR) Act has been registered against the petitioner herein.

3.As far as the illicit transport of sand and other minerals, this Court has held that the larger interest of the public is more important than the individual liberty of a person, who are exploiting the natural resources illegally. Following the dictum of this Court rendered in the case of "Bala @ Balasubramani -vs- State represented by the Inspector of Police, Thakkolam Police Station, Vellore District" dated 03.09.2020 in Crl.O.P.No.13334 of 2020 etc. batch, this petition for Anticipatory Bail is 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 NO.II,
NEYVELI, CUDDALORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
OOMANGALAM POLICE STATION,
CUDDALORE DISTRICT.

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

CRL OP.16953/2020

Date :22/10/2020

MK:02/11/2020

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