

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2020

CORAM :

THE HON'BLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P.Nos.18814 & 18815 of 2020

Sundhar

... Petitioner

Vs.

State Rep. by

The Station House Officer,
Bhuvanagiri Police Station,
Cuddalore District.

(Crime No.1156 & 744 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.1156 & 744 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Silambarasan

For Respondent : Mr.K.Madhan
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 27.10.2020 for the offences punishable under Section 379,430,294(b),506(ii),353,307 of IPC read with Section 21(1) of Mines and Minerals Act, in Crime No.1156 of 2020 and for the offences punishable under Sections 379 & 430 of IPC read with 21 (1) of Mines and Minerals Act, in Crime No,744 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 09.07.2020 and 27.10.2020, while the respondent police was on routine patrol duty, the petitioner was found in illegal transportation of river sand by using two wheeler without any 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 been falsely implicated in this case. He would submit that the petitioner has no way connected in this case. The learned counsel would further submit that the petitioner is in judicial custody for more than 62 days. Hence, he prays to grant bail to the

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that on 09.07.2020 and 27.10.2020, the petitioner was found in illegal transportation river sand (three bags and five bags respectively) by using two wheeler without any valid license. He would further submit that there are 14 previous cases pending as against the petitioners. However, he opposed to grant bail to the petitioner.

5. Heard the learned Counsels on either side. Perused F.I.R. and other materials placed on record.

6. Considering the grave nature of the offence and previous cases and the circumstances of the offence committed, I am declined to grant bail to the petitioner.

7. This Criminal Original Petition shall stand dismissed accordingly.

-sd/-
30/12/2020

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 STATION HOUSE OFFICER,
BHUVANAGIRI POLICE STATION,
CUDDALORE DIST.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

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

CRL.OP.NOS.18814 & 18815 OF 2020

Date :30/12/2020

MK:01/02/2021