

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.19242 of 2020

Karunakaran

.. Petitioner

Vs.

The State rep. by
The Inspector of Police
Uthiyur Police Station
Tiruppur
Cr.No.931 of 2020

.. Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.931 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Pushpakaran

For Respondent : Mr.M.Mohamed Riyaz
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 offence under Section 379 IPC in Crime No.931 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant/the Regional Deputy Tahsildar-II, Dharapuram is that on 28.10.2020, at about 3.30 p.m, while he was conducting check, he found that the petitioner was loading gravel sand in his Tractor bearing Registration No.TN 55 L 5317 without any valid license and the quantity of sand involved is one unit. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and that a false case has been foisted against him. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner without any permission from the Government, had dug the land and taken sand and thereby, degraded the environment and caused damages to the ecology. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. This Court is of the opinion that these type of cases are impacting large Magnitude and the petitioner is misusing the discretionary of this Court and continues with the offences affecting the environment and ecology.

6. In view of the order passed by this Court in Crl.O.P No.13334 of 2020 etc. Batch dated 03.09.2020, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

11/12/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
UTHIYUR POLICE STATION,
TIRUPPUR.

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

CRL OP.19242/2020

Date :11/12/2020

MK:17/12/2020