

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.19166 of 2020

1.V.Sivasankar @ Sivappa
2.Ramaraj

... Petitioners

Vs.

The State rep. by
The Inspector of Police
Kelamangalam Police Station
Krishnagiri,
Krishnagiri District.
Cr.No.669 of 2020.

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioners on bail in the event of their arrest in Crime No.669 of 2020 pending investigation on the file of the respondent police.

For Petitioners : Mr.A.Yogeswari

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 379 IPC in Crime No.669 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant/the Sub Inspector of Police is that on 06.11.2020, while he was on his usual rounds, he had seen that the accused had without any permission from the Government, dug and taken sand. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution and that a false case has been foisted against them. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners 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 petitioners.

5. This Court is of the opinion that these type of cases are impacting large Magnitude and the petitioners are 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 CrI.O.P No.13334 of 2020 etc. Batch dated 03.09.2020, this Court is not inclined to grant anticipatory bail to the petitioners.

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 INSPECTOR OF POLICE,
KELAMANGALAM POLICE STATION,
KRISHNAGIRI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.19166/2020

Date :11/12/2020

TA-17/12/2020