



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/05/2020

PRESENT

WEB COPY

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5285 of 2020

Thangaraj ... Petitioner/Accused No.1

Vs

State rep. by its
The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District
Cr No.8/2020.

... Respondent/Complainant

For Petitioner : M/s.S.Deenadhayalan,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

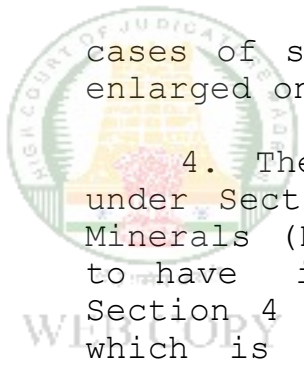
For Bail in Crime No. 8 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence punishable under Sections 379 and 511 of IPC.

2. The petitioner herein is one among the six accused indulged in exploiting sand illegally in an organized manner. On 18.01.2020 when the accused persons tried to excavate river sand with the help of JCB. When they were intercepted, leaving the vehicle the petitioner and others fled. Later Some of them including the petitioner herein were secured. Two of the remaining accused are yet to be secured.

3. The petitioner herein seeks bail on the ground that he is a innocent person and he is only a coolie. One of the accused was already granted bail So he may be also treated par with the said accused, whereas the learned Additional Public Prosecutor would submit that the petitioner is a habitual offender and 13 previous



cases of sand theft are pending against him. If the petitioner is enlarged on bail, he will indulge in this offence again.

4. The petitioner is facing investigation for the offence under Section 379 and 511 of IPC @379,511 r/w.21(1) of Mines and Minerals (Development and Regulation) Act. He and 5 others alleged to have indulged in excavating river sand illegally contravening Section 4 of Mines and Minerals (Development and Regulation) Act, which is punishable under Sections 21(1) of Mines and Minerals (Development and Regulation) Act. The antecedent of the petitioner herein is uninspiring. Further two of his co-accused are yet to be secured. Hence granting bail to this petitioner may not be conducive for the investigation.

6. In the result, this petition stands dismissed.

sd/-
05.05.2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1. The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
3. The Officer in Charge,
District Jail, Perurani,
Thoothukudi District.

ORDER
IN
CRL OP(MD) No.5285 of 2020
Date : 05/05/2020

VB SKN SAR3(05.05.2020) 2P 4C