



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.10042 of 2020

Jayasurya

... Petitioner/Accused No.2

Vs

State, represented by
The Inspector of Police,
Thanjavur Taluk Police Station, Thanjavur.
Crime No. 1035 of 2020.

... Respondent/Complainant

For Petitioner : Mr.K.Navaneetharaja,
Advocate.

For Respondent : Mr.M.Chandrasekaran,
Additional Public Prosecutor

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

PRAYER :-

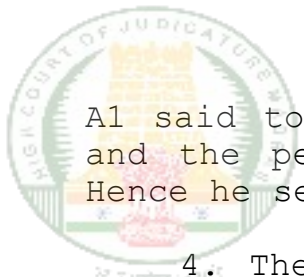
For Bail in Cr.No.1035 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2 herein was arrested and remanded to judicial custody on 13.08.2020 for the alleged offences under Sections 379 and 307 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957.

2. The case of the prosecution is that on the date of occurrence on 13.08.2020 when the respondent police was on patrol duty all the accused said to have driven a van in a rash and negligent manner and when the respondent police stopped the vehicle they tried to hit the police police , however they have escaped. Thereafter the respondent police chased them and caught the vehicle, in which two accused persons were arrested and two of them escaped. Further it is seen that the petitioner along with other accused said to have illegally transported 1 ½ units of river sand without any valid permission.

3. The learned counsel for the petitioner would submit that no specific overt act has been attributed against the petitioner only



A1 said to have driven the vehicle in a rash and negligent manner and the petitioner herein said to have only sit in the vehicle. Hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioner is a rowdy element and having two previous cases of similar nature. He would also submit that when the respondent police was on patrol duty they attempted to stop the vehicle the petitioner herein and other accused attempted to dash the vehicle against the police people, subsequently they were chased and caught. He would also submit that only two of the accused were arrested and two of them yet to be apprehended. Hence he opposed to grant bail to him.

5. From the perusal of the record, it is seen that the petitioner is a habitual offender in sand theft and having two previous cases of similar nature against him. It is also seen that some of the accused persons are yet to be apprehended. At this stage this Court is not inclined to grant bail to the petitioner.

6. Hence this petition stands dismissed.

sd/-
21/09/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR.
2. THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION, THANJAVUR.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.10042 of 2020
Date : 21/09/2020

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AE/AKM/SAR-I (23.09.2020) 2P 4C