



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 30/09/2020

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PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.10226 of 2020

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... Petitioner/Accused No.1

Vs

The State rep. by  
The Sub-Inspector of Police,  
Palaiyanur Police Station,  
Sivagangai District.  
Cr No.110 of 2020.

... Respondent/Complainant

For Petitioner : M/s.R.Venkatesan,  
Advocate.

For Respondent : Mr.R. Saravana Kumar,  
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C

**PRAYER :-**

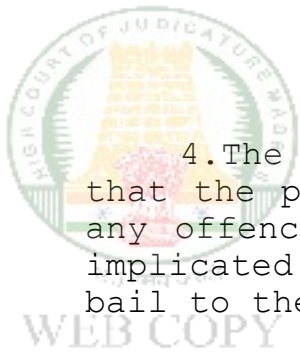
For an Anticipatory Bail in Cr.No.110 of 2020 on the file of the respondent police.

**ORDER :** The Court made the following order :-

The petitioner who is arrayed as A-1 apprehending arrest at the hands of the respondent police for the offence punishable under section 21(1) of Tamil Nadu Mines and Minerals Act and Rural Development Act and Section 379 of I.P.C. And Section 3 of TNPPDL Act, in Crime No.110 of 2020 on the file of the respondent police, seek/s anticipatory bail.

2. The case of the prosecution is that there are totally four accused in this case and the petitioner is arrayed as A-1. The petitioner said to have conducted illegal quarry and damaged the river bank of Kanmai and also illegally transported 1 ½ Unit of river sand. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.



4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there is one previous case pending against the petitioner of similar in nature. He further submitted that the petitioner illegally conducted quarry and damaged the river bank of Kanmai.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioner has damaged the river bank of Kanmai and conducted illegal quarry and there is one previous case pending against the petitioner of similar in nature, hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed.

sd/-  
30/09/2020

/ 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 SUB-INSPECTOR OF POLICE,  
PALAIYANUR POLICE STATION,  
SIVAGANGAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER IN  
CRL OP(MD) No.10226 of 2020  
Date :30/09/2020

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<https://hcma.ces.e20114.gov.in/AdmServices/> 05.10.2020/ 2P/3C