

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2021

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

CrI.O.P.No.592 of 2021

Mohan

... Petitioner

-Vs-

The State rep. by  
The Inspector of Police,  
Gudiyatham Taluk Police Station,  
Vellore District.  
(Crime No.138 of 2020)

... Respondent/Complainant

**Prayer:** Criminal Original petition filed under Section 438 of Code of Criminal Procedure praying to enlarge the petitioner on bail in the event of his arrest in Crime No.138 of 2020 on the file of the respondent police.

For Petitioner : Mr.G.Thamizhazhagan

For Respondent : Mr.S.Karthikeyan  
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 punishable under Sections 379 and 430 of IPC r/w Sections 21(1) of Mines and Minerals (Development and Regulation) Act 1957 in Crime No.138 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 25.03.2020 the petitioner had illegally transported one unit of river sand by using his mini Lorry without any valid permission. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. On instruction, he would further submit that the petitioner is prepared to deposit some considerable amount to any charitable organization or association without prejudice to his contention and prayed for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the

respondent submitted that the petitioner had illegally transported 1 unit of river sand by using his lorry without any valid permission. He further submitted that previous cases are pending against him hence he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the allegations and the bad antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
22/01/2021

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,  
GUDIYATHAM TALUK POLICE STATION,  
VELLORE DISTRICT.

2.THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

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

CRL OP.592/2021

Date :22/01/2021

KSM02/02/2021