

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.01.2021

CORAM

THE HON'BLE Mr.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.770 of 2021

T.Munusamy

... Petitioner

Vs.

State rep by
Inspector of Police,
H-1 Otteri Police Station,
Chengalpattu District.
Crime No.4173 of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. seeking to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.4173 of 2020, on the file of the respondent police.

For Petitioner : Mr.G.Mohammed Aseef

For Respondent : Mr.C.Iyyappa Raj,
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 offence punishable under Section 379 IPC r/w Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 in Crime No.4173 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner had illegally transported sand without any valid permission. Hence, the complaint.

3. When the matter was taken up for hearing today, the learned Additional Public Prosecutor would submit that the petitioner is not an accused in Crime No.4173/2020, on the file of the respondent. He would submit that the draft charge sheet has also been ready and that the petitioner is not arrayed as an accused in this case and as on date, the petitioner is not arrayed as an accused in the draft charge sheet also.

4. At this juncture, the learned counsel for the petitioner would submit that if at later point of time, if the petitioner is included as an accused, he may be granted opportunity to move appropriate application before this Court.

4. Accordingly, this Criminal Original Petition stands dismissed granting liberty to the petitioner to move fresh application before this Court in the event if the petitioner being arrayed as an accused in the later point of time.

-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 JUDICIAL MAGISTRATE,
NO.II, CHENGALPATTU

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE
H1 OTTERI POLICE STATION,
CHENGALPATTU.

CC to M/S G.MOHAMMED ASEEF Advocate on payment of necessary charges

CRL OP.770/2021

सत्यमेव जयते Date :22/01/2021

RVR 04/02/2021

WEB COPY