

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.02.2021

CORAM :

THE HON'BLE MR. JUSTICE P. VELMURUGAN

CrI.O.P.No.1330 of 2021

Subash

... Petitioner

Vs.

State Rep by
Inspector of Police,
Dusi Police Station,
Tiruvannamalai District.
Crime No.25 of 2021

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of arrest in the hands of respondent in Cr.No.25 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Saranraj

For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

ORDER

The criminal case has been registered against the petitioner for an alleged offences under Sections 379 and 430 of I.P.C. r/w 21(5) of M.M. Act in Crime No.25 of 2021. Accordingly, the petitioner has filed this petition seeking to grant anticipatory bail.

2. Heard Mr.A.Saranraj, learned counsel for the petitioner and Mr.S.Karthikeyan, learned Additional Public Prosecutor.

3. The learned Additional Public Prosecutor appearing for the respondent submitted that the investigation is still pending and the charge sheet has not yet been filed. He would also submit that there is a specific allegation against the petitioner. Hence, he has raised serious objection to grant anticipatory bail to the petitioner.

4. Since the offence is under Section 25 of Mines and Minerals Act and Sections 379 and 430 of I.P.C., this court, time and again, had passed stringent order that the cases under Mines and Minerals Act has to be viewed seriously and this Court shall prevent the exploitation of natural resources. Therefore, under these circumstances, considering the nature of offence, the investigation

is still pending, the charge sheet has not yet been filed, there is every possibility of committing similar offence and these people can spoil the natural resources like mines and minerals, which endangers to the society. Therefore, in order to safeguard the nature and also the mines and minerals, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.

-sd/-
01/02/2021

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,
CHEYYAR.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUVANNAMALAI [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
DUSI POLICE STATION,
THIRUVANNAMALAI DISTRICT.

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

WEB COPY

CRL OP.1330/2021

Date :01/02/2021

MN-05/02/2021