

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.02.2021

CORAM :

THE HON'BLE MR. JUSTICE P. VELMURUGAN

Crl.O.P.No.1338 of 2021

Jayaprakash

... Petitioner

Vs.

The State Represented by
Inspector of Police,
Kanakammachatram Police Station,
Thiruvallur District.
(Crime No.1974 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in Crime No.1974 of 2020 on the file of the Inspector of police, Kanakammachatram Police Station, Thiruvallur District.

For Petitioner : No Appearance

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

O R D E R

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(1) of M.M. Act in Crime No.1974 of 2020. Accordingly, the petitioner has filed this petition seeking to grant anticipatory bail.

2. There is no representation on behalf of petitioner.

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 21 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

the society. Therefore, in order to safeguard the natural resources 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,
THIRUTTANI, THIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
KANAKAMMACHATRAM POLICE STATION,
THIRUVALLUR DISTRICT.

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

CRL OP.1338/2021

Date :01/02/2021

RVR 18/02/2021

सत्यमेव जयते

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