

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CrI.O.P.No.3177 of 2021

Krishnamoorthi

.. Petitioner

Vs.

The State represented by
Inspector of Police,
Thittacherry Police Station,
Nagapattinam District.
(Crime No.1041 of 2020)

.. Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code praying to enlarge the petitioner on bail in the event of his arrest in Crime No.1041 of 2020 pending trial on the file of the respondent.

For Petitioner : Mr.J.Jawahar

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

O R D E R

(The case has been heard through video conference)

The petitioner apprehending arrest at the hands of the respondent police for the alleged offence under Sections 379 and 430 of IPC r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.1041 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner committed theft of 2 gunny bags of river sand at Kothamangalam river, by transporting it in his two wheeler, which was found by the respondent police during routine vehicle check up. Hence, the respondent police registered a case against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is no way connected with the offence and a false case has been registered against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is having three previous case, similar in nature. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact that the petitioner is having three previous case, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

19/02/2021

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 II,
NAGAPATTINAM.

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

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THITTACHERRY POLICE STATION,
NAGAPATTINAM DIST.

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

CRL OP.3177/2021

Date :19/02/2021

EP-08/03/2021