

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Second day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V.BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.5597 of 2021

THANIGAIVEL

[PETITIONER / ACCUSED]

Vs

STATE BY
INSPECTOR OF POLICE,
VELLAVEDU POLICE STATION,
THIRUVALLUR DISTRICT.
CR.NO.2380/2020.

[RESPONDENT]

For Petitioner : M/S.N.SUDHARSAN Advocate

For Respondent : MR.S.KARTHIKEYAN Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest in connection with the case in Crime No.2380 of 2020 on the file of the respondent police for the alleged offence u/s 379 and 430 of IPC and Section 36(A) of The Tamil Nadu Minor Minerals Concession Rules, 1959, seeks anticipatory bail.

2. I have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and also perused the records carefully.

3. It is a case of soil theft. The allegation of the prosecution is that a lorry bearing Regn. NoTN 20 BL 2855 was found transporting three units soil excavated from the tank. The petitioner is said to be the owner of the lorry. Therefore, alleging commission of various offences, crime was registered and the petitioner apprehends arrest.

4. The learned counsel for the petitioner would submit that the petitioner is innocent of the alleged offence and this case has been foisted only for the statistical purpose. He would further submit that the petitioner is ready to abide by any conditions that may be imposed by this court for granting anticipatory bail.

5. The learned Additional Public Prosecutor would stoutly oppose the petition for anticipatory bail. He would further submit that the petitioner is having four other previous cases of similar nature to his credit.

6. Considering the nature of the offence and also the alleged involvement of the petitioner in four other cases of similar nature, this court is of the considered view that it is not a fit case for the grant of anticipatory bail as there is every possibility of repeating the offence by the petitioner, if he is released on anticipatory bail. Thus, the Criminal Original Petition deserves only to be dismissed and the same is dismissed accordingly.

-sd/-

22/03/2021

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2. THE INSPECTOR OF POLICE,
VELLAVEDU POLICE STATION,
THIRUVALLUR DISTRICT.

CRL OP.5597/2021

Date :22/03/2021

TK/17.04.2021