

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.03.2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

Cr1.O.P.No.4602 of 2021

R.Suresh

... Petitioner

Vs.

State Rep. by:-

... Respondent

The Inspector of Police,
Vengal Police Station,
Thiruvallur Dt.
(Crime No.945 of 2020)

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 in Cr.No.945 of 2020 on the file of the respondent.

For Petitioner : Mr.G.Gayathri

For Respondent : Mr.K.Prabakar,
Addl. Public Prosecutor

ORDER

(The case has been heard through video conference)

Totally, there are 2 accused and the petitioner is arrayed as A2. The petitioner apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 307, 353, 379, 430 of I.P.C. r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.945 of 2020, on the file of the respondent police, and now, he has filed this petition seeking to grant anticipatory bail.

2. The case of the prosecution is that the petitioner and A1 have conducted a illegal quarry of transporting river sand in a lorry and when it was waylaid by the respondent police, they have tried to attack the police and also tried to escape from the scene of occurrence. Hence, the criminal case has been registered against the petitioner. Now, apprehending arrest, the present petition has been filed.

3. The learned counsel appearing for the petitioner submitted that A1 was arrested and remanded to judicial custody. He would submit that now the petitioner, who is arrayed as A2 is seeking anticipatory bail. He would submit that he is an innocent person and he is no way connected with the offence. He would also submit that A1

was arrested and released on bail. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is an habitual offender and already having two previous cases similar in nature. On the date of occurrence, they have tried to attack the police personnel, when they are trying to transport river sand. He would submit that A1 was arrested and released on bail. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that, the petitioner is an habitual offender, already having two previous cases similar in nature and in the present case, they have tried to attack the police personnel, when they are trying to transport river sand illegally, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

09/03/2021

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 JUDICIAL MAGISTRATE-I,
THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VENGAL POLICE STATION,
THIRUVALLUR DISTRICT.

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

CRL OP.4602/2021

Date :09/03/2021