

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2021

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.No.5218 of 2021

Ganesan

... Petitioner

-Vs-

The State Represented by its
The Inspector of Police,
Oomangalam Police Station,
Cuddalore District.
(Crime No.46 of 2021)

... Respondent

Prayer: Criminal Original petition filed under Section 438 of Code of Criminal Procedure praying to enlarge the petitioner/Accused No.4 on anticipatory bail, in the event of his arrest in connection with Crime No.46 of 2021 on the file of the respondent police.

For Petitioner : Mr.M.Prakash

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC r/w Section 21 (1) of Mines and Minerals (Development & Regulation) Act 1957, in Crime No.46 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had committed theft one unit of Savud sand by using Tipper lorry bearing Registration No.TN.18.B.3477 and JCB Vehicle, without any valid permission. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that the petitioner had committed theft one unit of Savud sand by using Tipper lorry bearing Registration No.TN.18.B.3477 and JCB Vehicle, without any valid permission. He would submit that the petitioner is a owner of the vehicle. He would further submit that there is one previous case pending as against this petitioner and hence he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner has involved in very serious offence and there is one previous case pending as against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

17/03/2021

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,
NEYVELI TOWN, CUDDALORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
OOMANGALAM POLICE STATION,
CUDDALORE DISTRICT.

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

CRL OP.5218/2021

Date :17/03/2021

rvr 15/04/2021