

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL ORIGINAL PETITION No.5884 of 2021

1 PRAKASH [PETITIONERS / ACCUSED]
2 ARUMUGAM

Vs

STATE REP BY, [RESPONDENT]
THE INSPECTOR OF POLICE,
POCHAMPALLI POLICE STATION,
KRISHBNAGIRI DISTRICT.
CR NO.624/2020.

For Petitioner : M/S.M.JAYACHANDRAN Advocate

For Respondent : M/S.T.P.SAVITHA, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 379 IPC in Crime No.624 of 2020, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the driver of the lorry and the second petitioner is the owner of the lorry, who are alleged to have been involved in illegal transportation of three units of sand.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (CrI.Side) would submit that the petitioners are alleged to have been involved in illegal transportation of three units of sand and that the investigation is still pending. She would further submit that earlier bail application filed by the petitioners was dismissed by this Court on 01.02.2021. Hence, she has raised objection to grant anticipatory bail to the petitioners.

5. Since the offence is under Section 379 IPC, 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 and endanger caused to the society.

6. Under these circumstances, considering the nature of offence, there is every possibility of the petitioners committing similar offence and this Court already dismissed the petition on 01.02.2021. There is no change of circumstances and no progress in the investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/03/2021

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 INSPECTOR OF POLICE,
POCHAMPALLI POLICE STATION,
KRISHBNAGIRI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.5884/2021

Date :24/03/2021

TA-22/04/2021

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