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

Tuesday, the Thirtieth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V.BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.6265 of 2021

GOKULAKRISHNAN [PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE [RESPONDENT]
THIRUVERKADU POLICE STATION,
THIRUVALLUR DISTRICT.
CRIME NO.604 OF 2020

For Petitioner : M/S.C.E.PRATAP 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.604 of 2020 on the file of the respondent police for the alleged offence u/s 21(1) of The Mines and Minerals (Development and Regulation) Act, 1957 and Section 379 of IPC, 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 sand theft. The allegation of the prosecution is that on a routine raid, on 02.06.2020 at 09.00 hours, a JCB vehicle bearing Regn. No.TN 20 BK 9159 was found collecting sand illegally removed from a lake. The quantity of sand heaped there was estimated at 8 units. The petitioner is said to be the owner of the JCB vehicle. 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.

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

6. This is second petition for anticipatory bail. This court by order dated 21.01.2021 refused to grant anticipatory bail to the petitioner on the ground that there were two previous cases registered against the petitioner. There is no change in circumstances made out. Considering the nature of the offence and also the alleged involvement of the petitioner in two 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/-
30/03/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1.THE INSPECTOR OF POLICE
THIRUVERKADU POLICE STATION,
THIRUVALLUR DISTRICT.

2.THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.E.PRATAP Advocate on payment of necessary charges

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CRL OP.6265/2021

Date :30/03/2021

TK/22.04.2021

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