

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated : 29.03.2021

CORAM :

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.6225 of 2021

Purushothaman

... Petitioner/Accused

Vs.

The State Rep. by
The Inspector of Police,
Gummidipoondi Police Station
Thiruvallur District.
Crime No.57 of 2021

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.57 of 2021 on the file of the Respondent.

For Petitioner : Mr.C.Arivazhagan
For Respondent : Mrs.M.Prabhavathi
Addl. Public Prosecutor

ORDER

The respondent police has registered a criminal case against the petitioner in Crime No.57 of 2021 for the offence punishable under Sections 379 of I.P.C. r/w Sec. 21(1) of MMDR Act, 1957. The petitioner was arrested and remanded to judicial custody on 10.03.2021. Accordingly, the petitioner has filed this petition seeking for bail.

2. The case of the prosecution is that on the date of occurrence, when the respondent police intercepted the lorry belong to the petitioner, they found that said to have transported sand without valid license and seized the vehicle. Hence, a criminal case has been registered against him and he was arrested and remanded to judicial custody on 10.03.2021. Now, seeking bail, the present petition has been filed.

3. The learned counsel appearing for petitioner would submit that he is an innocent person and he has not committed any offence as alleged in the complaint. He would submit that a false case has been foisted against the petitioner and the investigation is almost completed. Hence, he has filed this petition seeking to enlarge the petitioner on bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the criminal case has been registered against the petitioner by the respondent police and he is arrayed as

A1. He would submit that the petitioner is involved in the offence under Sec.379 of I.P.C. Hence, he has raised serious objection to grant bail to the petitioner.

5. 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. Therefore, under these circumstances, considering the nature of offence, the investigation is still pending, the charge sheet has not yet been filed, there is every possibility of committing similar offence and these people can spoil the natural resources like mines and minerals, which endangers the society. Therefore, in order to safeguard the natural resources and also the mines and minerals, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.

-sd/-

29/03/2021

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, GUMMIDIPOONDI.

2.THE SUPERINTENDENT,
CENTRAL PRISON,PUZHAL.

3.THE INSPECTOR OF POLICE,
GUMMIDIPOONDI POLICE STATION
THIRUVALLUR DISTRICT.

4.THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.6225/2021

Date :29/03/2021

TK/21.04.2021