

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Ninth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7610 of 2021

SARAVANAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
INSPECTOR OF POLICE,
THIRUPATHUR TALUK POLICE STATION,
THIRUPATHUR DISTRICT.
CRIME NO.68 OF 2021.

[RESPONDENT]

For Petitioner : M/S.R.PARTHIBAN Advocate

For Respondent : MR.T.SHUNMUGARAJESWARAN
GOVERNMENT ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 379 and 430 of IPC r/w 21(1), Mines & Minerals (Development & Regulation) Act, 1957 in Crime No.68 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported two units of river sand by using a Tractor bearing Registration No.TN 83 P 8091 without any permission from the Government. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is the owner of the Tractor and he did not commit any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner without permission from the Government, had dug the land and taken sand and thereby degraded the environment and caused damages to the ecology. There is no previous case as against the petitioner. However, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. This court is of the opinion that these type of cases are impacting large Magnitude and the petitioner is misusing the discretionary of this Court and continues with the offences affecting the environment and ecology.

6. In view of the order passed by this Court in Crl.O.P.No.13334 of 2020 etc. Batch dated 03.09.2020, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
29/04/2021

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,
THIRUPATHUR TALUK POLICE STATION,
THIRUPATHUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.R.PARTHIBAN Advocate on payment of necessary charges SR NO.5751

CRL OP.7610/2021

Date :29/04/2021

MK:07/06/2021

WEB COPY