

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.05.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.OP.No.9214 of 2021

Palani

... Petitioner

Vs.

State rep.by

... Respondent

The Sub Inspector of Police
Kalasapakkam Police Station,
Thiruvannamalai District.
Crime No.131 of 2021.

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to grant anticipatory bail to the petitioner in the event of arrest in crime no.131 of 2021 pending investigation on the file of respondent police.

For Petitioner : Mr.A.Sathishkumar

For Respondent : Mr.A.Damodaran
Government Advocate (Crl.Side)

ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 and 430 of IPC and r/w. Section 21(5) of Mines and Minerals (Development and Regulation) Act, 1957 & 3 of TN Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.131 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner is alleged to have transported 2 units of river sand illegally in a TATA 407 vehicle Maxi Trax. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner had transported 2 units of sand illegally in a TATA 407 Vehicle. He further submitted that there are two previous cases pending against the petitioner.

5. Considering the fact that the petitioner is an owner cum driver of the lorry and he is an habitual offender of illegally transporting sand from river and also of the fact that there are two previous cases pending this petitioner, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly, this Criminal original petition stands dismissed.

-sd/-
26/05/2021

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, KALASAPAKKAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
KALASAPAKKAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.

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

CRL OP.9214/2021

Date :26/05/2021

TA-28/06/2021

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