



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2021

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THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.13206 of 2021

1.Kalaivanan,
2.Arokiya Rajesh,

... Petitioners

Vs.

State represented by
The Inspector of Police,
S-6, Sankar Nagar Police Station,
Pammal, Chennai-600 075.
(Cr.No.908 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C. seeking to enlarge the petitioner on bail in the event of his arrest in Crime No.908 of 2020 pending investigation on the file of the respondent police.

For Petitioners: Mr.Shiva
for Mr.J.Thomas

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (CrI. Side)

ORDER

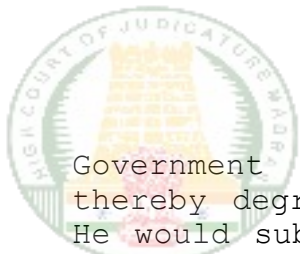
(The case has been heard through video conference)

The petitioners who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 379 of IPC and 21(1) of Mines and Minerals (Development & Regulation) Act 1957, in Crime No.908 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant, the Inspector of Police is that while he was on his usual rounds, the petitioners were found transporting sand by using Tipper Lorry without any permission. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and that this is the 4th application for anticipatory bail. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI. Side) would submit that the petitioners without obtaining any permission from the



Government had illegally dug the land and transported sand and thereby degraded the environment and caused damages to the ecology. He would submit that the 1st application filed by the petitioner in Crl.O.P.No.13206 of 2021 was dismissed by this Court following the orders passed by this Court in a batch of applications in Crl.O.P.No.13334 of 2020 dated 03.09.2020 and the 2nd application for anticipatory bail was dismissed as withdrawn and this Court taking into consideration the role assigned to the petitioners had dismissed the 3rd application vide Crl.O.P.No.9019 of 2021 and there is no change in circumstances after the dismissal of the earlier application. Hence he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. This Court taking into consideration the role assigned to the petitioners had dismissed the earlier application in Crl.O.P.No.9019 of 2021 by order dated 21.06.2021 and there is no change in circumstances after the dismissal of the earlier application. Hence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
30/07/2021

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,
S-6, SANKAR NAGAR, P.S.
PAMMAL, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.13206/2021

Date :30/07/2021