



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18651 of 2021

JAYAVEL

[PETITIONER]

Vs

STATE REP BY
INSPECTOR OF POLICE,
KANAKKAMA CHATHIRAM POLICE STATION,
THIRUVALLUR DISTRICT
(CRIME NO.570/2021)

[RESPONDENT]

For Petitioner : M/S G.P.SIVAKUMAR Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)

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

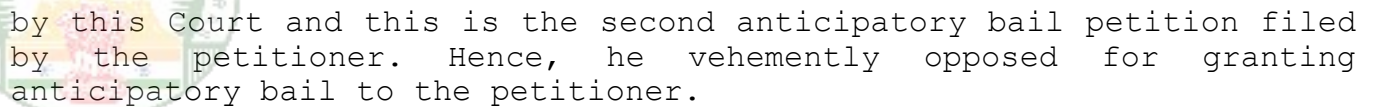
ORDER : The Court Made the following order :-

The petitioner who apprehends arrest for the alleged offence under Section 379 and 430 of IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.570 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is involved in illegal transportation of 1 unit of river sand in a trailer. Hence the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the petitioner had illegally transported 1 unit of river sand in a trailer without any valid permit. He further submits that the petitioner had already filed a anticipatory bail petition in Crl.O.P.No.16872 of 2021 dated 15.09.2021 and the same was dismissed



6. A perusal of the materials reveal that the petitioner was apprehended with 1 unit of river sand in a trailer without any permit. That being the case, the illegal lifting and transportation of sand has been deprecated by this court in various decisions, keeping in mind the need for maintaining the ecological balance and the conservation of water table in the locality, as held by the Hon'ble Supreme Court, giving any leniency to the petitioner by granting anticipatory bail would only lead to the petitioner perpetrating the offence once again.

-sd/-

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

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



TO

1 THE INSPECTOR OF POLICE
KANAKKAMA CHATHIRAM POLICE STATION,
THIRUVALLUR DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S G.P.SIVAKUMAR Advocate on payment of necessary charges

CRL OP.18651/2021

Date :06/10/2021

APN 26/10/2021