



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Ninth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20947 of 2021

RATHINAKUMAR @ M.HARIHARAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY ITS
THE STATION HOUSE OFFICER,
VILLANUR POLICE STATION,
PUDUCHERRY.
CRIME NO.288/2021.

[RESPONDENT]

For Petitioner : M/S. KRISHNASAMY CHINNASAMY Advocate

For Respondent : MR.V.BALAMURUGANE, Additional Public Prosecutor for
Puducherry.

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the alleged offence under Section 379 of Indian Penal Code, 1860 and Section 3(1) of Prevention of damage to Public Property act, 1984, in Crime No.288 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons were involved in illegal transportation of one unit of river sand by using TATA Mini Lorry.

3. The learned counsel appearing for the petitioners 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.



4. The learned Government Advocate (Crl. Side) submitted that the petitioner without obtaining any permission from the Government, had illegally dugged the land and transported sand, thereby degraded the environment and caused damages to the ecology. The petitioner's first anticipatory bail petition was dismissed in Crl.O.P.No.18450 of 2021 dated 04.10.2021. However, he vehemently opposed for grant of Anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the petitioners has involved in illegal mining of river sand thus deteriorating ecology and further there is no change of circumstances, this court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

09/11/2021

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 STATION HOUSE OFFICER,
VILLANUR POLICE STATION,
PUDUCHERRY.

2 THE PUBLIC PROSECUTOR
PUDUCHERRY.

CC to M/S. KRISHNASAMY CHINNASAMY Advocate on payment of necessary charges

CRL OP.20947/2021

Date :09/11/2021

RW 18/11/2021