



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Third day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.22074 of 2021

1 SAKTHIVEL
2 SUNDHHARRAJAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
THALAIVASAL POLICE STATION,
THALAIVASAL, SALEM DISTRICT.
CRIME NO. 431 OF 2021.

[RESPONDENT]

For Petitioner : M/S. C.PRAKASAM Advocate

For Respondent : MR.N.S.SUGANTHAN, Government Advocate, (Crl.Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 08.10.2021 for the offences under Sections 379 IPC read with 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.431 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 08.10.2021 at about 7.00 hours, the petitioners were found illegally transporting 40 tonnes of dimensional stones in a Taurus lorry bearing Regn.No.Tn-74-AD-8233 without any valid permission. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the petitioners have been suffering incarceration for more than 45 days from 08.10.2021 and hence, he would pray for grant of bail to the petitioners.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that the petitioners illegally transported 40 tonnes of dimensional stones without any permit from the Government. He would submit that there are totally 3 accused in this case and the petitioners are arrayed as A1 and A2 and they are Driver and Cleaner of the lorry belongs to A3.

5.Considering the grave nature of offence and the quantity of the alleged natural resource and that the investigation has not been completed and therefore, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

23/11/2021

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
THALAIVASAL POLICE STATION,
THALAIVASAL, SALEM.

3 THE SUPERINTENDENT,
CENTRAL JAIL, SALEM, SALEM DISTRICT.

CC to M/S. C.PRAKASAM Advocate on payment of necessary charges

CRL OP.22074/2021

Date :23/11/2021

RW 01/12/2021