



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/02/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD).No.1360 of 2021

Vinoth

... Petitioner/Accused-1

Vs

The State rep.by,
The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
Crime No.990/2020).

... Respondent/Complainant

For Petitioner : Mr.G.Thalaimutharasu,
Advocate.
For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.990/2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to judicial custody on 18.12.2020 for the alleged offence punishable under Sections 447, 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act and Section 3(1) of Tamil Nadu Property (Prevention of Damage and Loss Act, on the file respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with three other accused had stolen three bullock carts along with sand from the premises of the respondent police.

3.The learned counsel for the petitioner would contend that the petitioner is an innocent and he has been falsely implicated in the above case.

4.The learned Additional Public Prosecutor would represent that three bullock carts along with sand were stolen from the premises of the respondent police and that the same was recovered. He would submit that the other three accused have already been granted bail



by this Court in Crl.O.P.(MD)No.358 of 2021, dated 11.01.2021, and that since the petitioner is having two previous cases for similar offence, that petition as against him was ordered to be dismissed.

5.The learned Additional Public Prosecutor would further contend that the District Collector and the learned District Magistrate, Thanjavur has passed detention order dated 22.01.2021 to detain him as sand offender.

6.Considering the nature and seriousness of the offences alleged against the petitioner and also the fact that the petitioner has been detained as sand offender vide order of District Collector and District Magistrate, Thanjavur, dated 22.01.2021, that the petitioner is having two previous cases for similar offence and upon the fact and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, this petition is dismissed.

sd/-
04/02/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE INSPECTOR OF POLICE,
NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.
- 2.THE OFFICER IN-CHARGE,
DISTRICT JAIL, PUDUKKOTTAI
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1360 of 2021
Date :04/02/2021

DAS
PK/JC/SAR-I/09.02.2021 : 2P/4C

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