



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/04/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.4954 of 2021

Karthikaivelu,

... Petitioner/Accused No.2

Vs

State rep by.

The Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.
Cr.No.73 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Lajapathi Roy T,
Advocate.

For Respondent : Mr.K.Dinesh Babu,
Additional Public Prosecutor

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

PRAYER :-

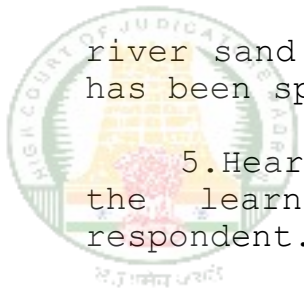
C-33AB. For Anticipatory Bail in Crime No.73 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 IPC and Section 21(1) of the Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.73 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons illegally transported ½ unit of river sand by using the petitioner's vehicle. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. Hence, he prayed for grant of anticipatory bail to the petitioner.



river sand was illegally transported and the name of the petitioner has been specifically mentioned in FIR.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

6. It is seen that the accused persons illegally transported ½ unit of river sand. The offence involved in this case is not against the particular individual, but against the Society at large. In spite of several measures taken to protect the natural resources, petitioner and persons like him continue to indulge in illegal theft and transportation of river sand. This illegal mining greatly affects the biodiversity, the environment and ultimately the public. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
07/04/2021

/ 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
NAINARKOIL POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.LAJAPATHI ROY T Advocate SR.No.2973
ORDER
IN
CRL OP(MD) No.4954 of 2021
Date : 07/04/2021

VB/SMA/SAR3/17.04.2021 : P2/4C