



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/04/2021

WEB COPY

PRESENT

The Hon`ble **Mr.Justice G.CHANDRASEKHARAN**

CRL OP(MD). No.4989 of 2021

Dinesh Narayanaperumal @ Ayya Dinesh @ Dinesh ... Petitioner/Accused
Rank Not Known

Vs

State through
The Inspector of Police,
Koodankulam Police Station,
Thirunelveli District.
Crime No.115 of 2021

...Respondent/Complainant

For Petitioner : Mr.Susi Kumar.C.,
Advocate.

For Respondent : R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr.No.115 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under section 379 of IPC and Section 21 (1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.115 of 2021 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent police.

3. It is seen from the submissions made that on 22.03.2021, the petitioner along with other accused illegally transported sand without prior permission. Hence, the complaint.



4. The learned counsel for the petitioner submitted that petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in the present case and hence, he seeks anticipatory bail.

5. The learned Government Advocate (criminal side), on instructions, submitted that the petitioner is having previous cases of similar nature.

6. 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 and the environment and ultimately the public.

7. In view of the aforesaid facts and considering the fact that the petitioner is having previous cases, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

09.04.2021

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

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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,
Koodankulam Police Station,
Thirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.4989 of 2021
Date:09/04/2021