



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.5372 of 2021

Raja

... Petitioner/Accused No.1

Vs

The State Rep. by
The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
Crime No.77/2021.

... Respondent/Complainant

For Petitioner : Mr.Navaneetharaja.K.,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

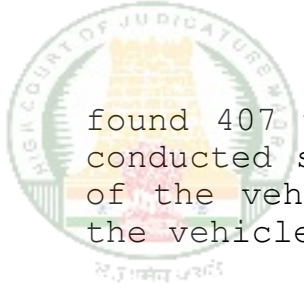
For Anticipatory Bail in Crime no. 77 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under section 379 of I.P.C. And Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.77 of 2021 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that when the defacto complainant was engaged in preventing offences relating to mines and minerals on the information that there is illegal removal of sand is going on in the Karukudi river bud, he conducted vehicle search along with police party on 17.02.2021 at about 07.30 a.m., they



found 407 vehicle bearing registration No.TN74 AV 6589. When they conducted search of the vehicle, the driver as well as the occupant of the vehicle had escaped. They found one unit of river sand in the vehicle. Therefore, the present case came to be registered.

4.The learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle and he was not present at the spot. Since the petitioner is the owner of the vehicle, he has been falsely implicated in this case.

5.The learned Government Advocate (Crl. Side) opposed this petition on the ground that investigation is not completed.

6.The fact of the case was that the petitioner's vehicle was involved in commission of illegal removal of river sand. This is the offence not against the particular individual but against the society at large. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Hence the petition stands dismissed.

sd/-
30/06/2021

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

ORDER
IN
CRL OP(MD) No.5372 of 2021
Date :30/06/2021