



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.5830 of 2021

A.Kalaiyarasan

... Petitioner/Sole Accused

Vs

The State rep by
The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District,
Cr No.98/2021.

... Respondent/Complainant

For Petitioner : M/s.Gangai Amaran.C.,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.98 of 2021 on the file of the respondent Police

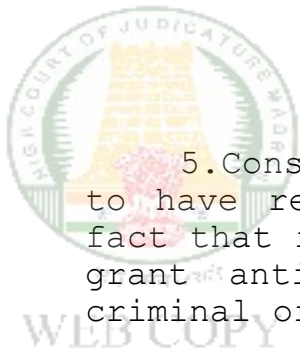
ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 IPC r/w Section 21(1) of the Mines and Minerals Development and Regulation Act in Crime No.98 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner said to have removed sand from the patta land of one Maruthupandi comprised in S.No.202/11A without getting proper permission. 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. He further submitted that only for the agricultural purpose, the petitioner removed the sand.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the sand was removed without knowledge of the land's owner and the land owner has given statement in this regard.



5. Considering the nature of the case where the petitioner said to have removed sand without knowledge of the land owner and the fact that it is a clear case of theft, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

Sd/-
26/04/2021

/ TRUE COPY /

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

GNS

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

ORDER
IN
CRL OP(MD) No.5830 of 2021
Date : 26/04/2021

VB JC SAR II(21/05/2021) 2P / 3c