



WEB COPY

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

Date : 15/06/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.7756 of 2021

K.Manojkumar

... Petitioner/Accused

Vs

The State Rep. by
The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
Crime No. 1436 of 2020

... Respondent/Complainant

For Petitioner : Mr.Venkatesan S,
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.1436 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 379 of IPC and Section 21(4) of Mines and Minerals (Development and Regulation) Act 1957, in Crime No.1436 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found to have illegally transported one unit of river sand from Vennaru river in TATA 407 Van bearing Registration No.TN-39-5427 on 21.12.2020. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.



4.The learned Government Advocate (Criminal side) for the respondent strongly opposed this petition on the ground that investigation in this case is not completed and four similar previous cases are pending against the petitioner in Crime No.455 of 2019 for the offence punishable under Section 379 of IPC r/w 21(4) of Mines and Minerals (Development and Regulation) Act, Crime No.417 of 2019 for the offence punishable under Section 379 of IPC r/w 21 (4) of Mines and Minerals (Development and Regulation) Act, Crime No.205 of 2019 for the offence punishable under Section 379 of IPC r/w 21(4) of Mines and Minerals (Development and Regulation) Act and Crime No.77 of 2019 for the offence punishable under Section 379 of IPC r/w 21(1) of Mines and Minerals (Development and Regulation) Act.

5.Taking note of the fact that the petitioner is involved in illegal transportation of one unit of river sand and also the fact that the petitioner is having four similar previous cases, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

15/06/2021

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

ORDER

IN

CRL OP(MD) No.7756 of 2021

Date :15/06/2021