



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

Date : 02/07/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). Nos.7361 and 7363 of 2021

Sangilimurugan

... Petitioner/Accused No.2
in Crl.O.P.No.7361 of 2021

1.Alagarsamy

2.Pandi

3.Munishkumar

... Petitioners/Accused No.1, 3 & 4
in Crl.O.P.No.7363 of 2021

Vs

State Rep. by

The Inspector of Police,

Peariyur Police Station,

Madurai District.

Crime No.117 of 2021.

... Respondent/Complainant

For Petitioners : Mr.Palanisamy.T
(In both Crl.O.Ps) Advocate.

For Respondent : Mr.M.Muthumanikkam,
(In both Crl.O.Ps.) Government Advocate (Crl. Side)

COMMON PRAYER :- For Anticipatory Bail in Crime No.117 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 Sections 379 of IPC r/w 21(1) of Mines and Minerals (Development and Regulation Act) 1957, in Crime No.117 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that based on the secrete information provided by the informant, on 15.04.2021, at about 12.00 hours, the respondent police was engaged in checking for the illegal possession and transportation of Mines and Minerals. The respondent police visited Usilampatti village. At that time, the accused were removing Karambai sand by using two tipper lorries. The police apprehended one Virappan and seized two lorries bearing registration No.TN-49-P-2218 and TN-50-H-4260. The petitioners were trying to transport 3 units of Karambai sand illegally. Hence, the case came



3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Therefore, he seek anticipatory bail.

4.The learned Government Advocate(Crl.Side) appearing for the respondent opposed this petition on the ground that the investigation not completed and he further submitted that the petitioners are having previous cases of similar in nature and the vehicle and sand were seized on the spot and on seeing the search party headed by defacto complainant, the petitioners and other occupants escaped from the scene of crime.

5.It is seen that illegal and indiscriminate sand mining has become a threat to the worldwide environment. The petitioners have similar previous cases pending.

6.This offence of illegal mining is not only an offence against any particular individual, but against the society at large. It affects not only the present population, but the posterity as well. Further, this Court already dismissed the anticipatory petition filed by the petitioners on 22.04.2021 and now there is no change of circumstances to consider the present bail petition. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original petition is dismissed.

sd/-
02/07/2021

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
PEARIYUR POLICE STATION, MADURAI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) . Nos.7361
and 7363 of 2021
Date :02/07/2021

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JM/AKM/SAR V/06.07.2021/2P/3C

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