



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/06/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.7704 of 2021

Praveen

... Petitioner/Sole Accused

Vs

State rep by
The Inspector of Police,
Athirampattinam Police Station,
Thanjavur District.
Crime No. 498 of 2021.

... Respondent/Complainant

For Petitioner : MR.D.R.MURUGESAN
Advocate.

For Respondent : MR.M.MUTHUMANIKKAM,
Government Advocate (Crl.Side)

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

PRAYER :-

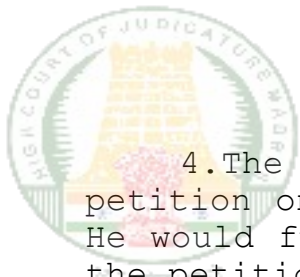
For Anticipatory Bail in Crime No.498 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 21(1) of Mines and Minerals Development and Regulation Act, 1957, and Section 379 of IPC in Crime No.498 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 08.06.2021, at about 05.00 p.m., when the police were engaged in duty of preventing the offences relating to mines and minerals, they found the accused loading one unit of river sand from Saendakottai River, in a vehicle bearing Registration No.TN 32 U 5868 near Pallikondan Railway gate. The petitioner has no valid permission or licence for loading river sand. Therefore, this case came to be registered.

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



4.The learned Government Advocate(Crl.Side) opposed the bail petition on the ground that the investigation is not yet completed. He would further submit that two previous cases are pending against the petitioner.

5.It is seen that the petitioner has illegally removed one unit of sand from the river, which is a Government property, destroying the its feature and natural course. The result is depleting water supply above and beneath the ground. If this mindless and indiscriminate sand mining is continued, our land will soon become a desert and water will be a scarce commodity. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Hence the petition stands dismissed.

Sd/-
28/06/2021

/ TRUE COPY /

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

SM

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

ORDER
IN
CRL OP (MD) No.7704 of 2021
Date : 28/06/2021

VB/VR/SAR.I/01.07.2021/2P/3C