



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/06/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.7837 of 2021

Alagarsamy

... Petitioners/Accused Rank No.2

Vs

The Sub Inspector of Police,
Annavasal Police Station,
Pudukkottai District.
Crime No.554/2021.

... Respondent/Complainant

For Petitioner : M/s.Ganapathi Subramanian.P.,
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. 554 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 Sections 21(1), 21(2) of the Mines and Minerals (Development and Regulation) Act, 1957 and Section 51(b) of the Disaster Management Act, 2005 in Crime No.554 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 13.06.2021, at about 08.00 am., when the police searched one Ashok Leyland Tipper Lorry bearing Registration No.TN 55 W 3310, two units of red sand was found in the lorry and on enquiry, it was found that the red sand was illegally taken, without any valid permission, from Kosuvankulam. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated



4.The learned Government Advocate(Crl.side) appearing for the respondent police strongly opposed this petition on the ground that investigation in this case is not completed and the petitioner has one similar previous case in Cr.No.94 of 2021 on the file of the respondent police.

5.The petitioner and other accused said to have illegally transported two units of red sand, without any valid permission, from Kosuvankulam, which is Government property. Investigation in this case is not completed.

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. In this view of the matter, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
16/06/2021

/ 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 SUB INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7837 of 2021
Date :16/06/2021

KM:RSK:SAR2(22.06.2021) 2P 3C

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