



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.7902 of 2021

Muthuraj ... Petitioner/Accused No.1

Vs

State Rep by
The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.
Crime No.64 of 2021. ... Respondent/Complainant

For Petitioner : MR.S.MANDHIRALINGESWARAN,
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.64 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 Sections 379, 294(b) and 506(i) of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.64 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 16.04.2021, when the defacto complainant went near the river in his village, he found the accused removing river sand using one Auto bearing Reg. No. TN 18 P 0626 and he found ½ unit of river sand in the Auto. Therefore, the case came to be registered.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the first accused was arrested and released on bail.



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 the petitioner has eight previous cases, out of which, one case is similar in nature.

5.It is seen that the petitioner has illegally removed sand from the river, which is a Government property, destroying the very feature of the river and causing damage to the river. He has previous cases. Hence this Court is not inclined to grant anticipatory bail to the petitioner.

6.Hence the petition stands dismissed.

Sd/-
24/06/2021

/ 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,
KURUMBUR POLICE STATION,
THOOTHUKUDI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7902 of 2021
Date : 24/06/2021

VB/PN/SAR.IV/30.06.2021/2P/3C