



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

Date : 21/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.8041 of 2021

Viji @ Vijiraj

... Petitioner/Sole Accused

Vs

State rep.by,
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
Crime No.643 of 2021.

... Respondent/Complainant

For Petitioner : Mr.Muthumalai Raja,
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 Cr.No.643 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 Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.643 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 05.06.2021, at about 05.00 pm., the police found that one Tata Ace bearing Registration No.TN 46 E 4870 with ½ unit of river sand and it came to know that the sand was illegally removed. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is only a driver of the vehicle.

4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that investigation is pending.



5.It is seen that this case was registered on 05.06.2021 by stating that the petitioner illegally transported ½ unit of river sand and it is also seen that investigation 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/-

21/06/2021

/ TRUE COPY /

/ /2021

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

ORDER

IN

CRL OP(MD) No.8041 of 2021

Date :21/06/2021

gns

PK/MNR/SAR-IV/24.06.2021 : 2P/3C