



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.8046 of 2021

Azhagunachimuthu @ Muthu ... Petitioner/4th Accused

Vs

The State rep.by
The Inspector of Police,
Thottiyam Police Station,
Trichy District.
Crime No.146/2021.

... Respondent/Complainant

For Petitioner : Mr.N.Sudhagar Nagaraj,
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.146 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 and Section 21(1) of the Mines and Minerals (Development & Regulation) Act in Crime No.146 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that when the police party were involved in preventing offence relating to mines and minerals at Thiruengkoymalai Kokku Vettiyan Kovil, near Kavery river, they found that JCB bearing registration No.TN 31 AD 9070 and lorry bearing registration No.TN28 AD 2739 have been used to loading river sand. Hence, the complaint.

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



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

5.The 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,
Thottiyam Police Station,
Trichy District.
- 2 The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.8046 of 2021
Date :21/06/2021

GNS
AE/MNR/SAR-IV/24.06.2021/2P/3C