



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

Date : 24/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.8235 of 2021

1. Chithiraiselvan

2. Jaisankar

... Petitioners/Accused 3 & 4

Vs

State rep.by

The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

(Crime No.534 of 2021)

... Respondent/Complainant

For Petitioners : Mr.M.Pitchai Muthu, 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.534 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.534 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 15.06.2021, at about 07.00 p.m., on prior information, the police party came to the place of occurrence and found the accused illegally removing sand from Kollangulam lake for laying road to an agricultural land. Therefore, this case came to be registered.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the sand was removed for the purpose of laying road.

4.The learned Government Advocate(Crl.Side) opposed the petition on the ground that the investigation is not yet completed and the sand was removed from the lake.



5.It appears that that there is no permission granted for removing sand for laying road. Removing sand from the lake destroys freeflow of water and destroys the very feature of the lake causing damage to the lake which is used by lot of public and the public at large will be left with no water supply in the course of time.

6.Considering the serious nature of offence, this Court is not inclined to grant anticipatory bail to the petitioners. 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.

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

ORDER

IN

CRL OP(MD) No.8235 of 2021

Date :24/06/2021

SM

MS/MNR/SAR-4/30.06.2021/2P.3C