



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.8251 of 2021

1. Deiventhran
2. Palraj

... Petitioners/Accused No.1 & 2

Vs

State Rep. by
The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
Crime No.125 of 2021.

... Respondent/Complainant

For Petitioners : Mr.Anbarasan.K,
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.125 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 Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.125 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 21.06.2021, at about 05.00 a.m., the police were engaged in preventing the offences relating to mines and minerals near Usilangulam Kalani Kanmai and tried to stop the vehicle namely Tractor bearing Registration No.TN 65 X 6265. Driver of the vehicle stopped the vehicle and escaped from the scene of occurrence. They found the vehicle having 1 unit of river sand. Therefore, the case came to be registered.

3.The learned counsel for the petitioners would submit that the innocent persons and they have been falsely



implicated in this case. He would further submit that the police fabricated this case by loading sand, which was available in the petitioners' house and that is not river sand.

4.The learned Government Advocate(Crl.Side) opposed the bail petition on the ground that the investigation is not yet completed and that the sand involved in this case is river sand. There is no necessity for the respondent police to fabricate the case against the petitioners.

5.It is seen that the petitioners have illegally transported river sand. Indiscriminate removal of river sand would destroy the very feature of the river causing damage to the river. The result would be depleting water supply affecting the very existence of human race. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Hence the petition stands dismissed.

sd/-
24/06/2021

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/ /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,
POOVANTHI POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8251 of 2021
Date :24/06/2021

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