



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

Date : 28/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.8448 of 2021

Vijaykumar

... Petitioner/Accused No.2

Vs

State Represented by,
The Inspector of Police,
Karaiyur Police Station,
Pudukottai District.
Crime No. 51 of 2021.

... Respondent/Complainant

For Petitioner : Mr.P.Senthil Kumar,
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.51 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 Section 379 of IPC and Sections 21(1) and 21(2) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.51 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 25.03.2021, at about 01.00 p.m., when the police were engaged in preventing the offences relating to mines and minerals near Neyveli Vilakku, they found the lorry bearing Reg. No.TN 55 AA 5253 and on stopping the vehicle and searching, they found the lorry contained of two units of sand. One person escaped from the scene of occurrence and another person was caught and his name is Ravichandran. It came to be known from Ravichandran that the absconding person's name is Vijaykumar. Therefore, this case came to be registered.



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

4.The learned Government Advocate (Crl. Side) opposes the petition on the ground that the investigation is not completed. It is also his submission that the sand was removed for illegal sale.

5.It is seen that the petitioners have illegally removed sand from the river, which is a Government Property, destroying the very feature of the river causing damage to the river. The impact would be the depleting water source, the lifeline of human existence. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Hence, this petition is dismissed.

sd/-
28/06/2021

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

ORDER
IN
CRL OP(MD) No.8448 of 2021
Date :28/06/2021

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PK/VR/SAR-IV/30.06.2021 : 2P/3C