



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.8499 of 2021

Kaleeswaran

... Petitioner/Accused No.1

Vs

State by
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
Crime No.259/2021.

... Respondent/Complainant

For Petitioner : Mr.Balakarthick.S.,
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.259 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends 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.259 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 10.06.2021 at about 03.00 a.m., when the de-facto complainant along with his assistant engaged in preventing the offence relating Mines and Minerals, they found Thattankulam Odai, four persons were removing sand illegally in Auto bearing Registration No.TN-63-BF-0385. Therefore, this case came to be registered.

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



case for the reason that he is the owner of the Auto. Hence, he seeks anticipatory bail.

4.The learned Government Advocate (Crl.side) for the respondent strongly opposed this petition on the ground that investigation in this case is not completed. He further submitted that from the confession statement of the co-accused-Rajesh, this petitioner is the main accused and he said to have illegally removed sand.

5.Considering the facts and circumstances of the case and the fact that the petitioner said to have illegally removed sand from Thattankulam Odai water channel, thus destroying the nature of water channel, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
29/06/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

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

ORDER
IN
CRL OP(MD) No.8499 of 2021
Date : 29/06/2021

VB/MNR/SAR.V/06.07.2021/2P/3C