



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/07/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.8821 of 2021

1. Jayakanthan

2. Nisanth

... Petitioners/Accused
Rank not known

Vs

The State Rep. by
The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District
Crime No. 609/2021.

... Respondent/Complainant

For Petitioners : Mr.Karunakaran.K.M.,
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.609 of 2021 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 IPC r/w Section 21(1) of the Mines and Minerals (Development and Regulation) Act in Crime No.609 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 28.06.2021, at about 12.00 pm., when the respondent police engaged in routine check up to prevent offences relating to mines and minerals, they found one Bolero Pickup Van bearing registration No.TN 49 AB 1171. On seeing Police, the occupants of the said vehicle escaped from the scene. On search, ½ unit of red sand was found in the vehicle. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution.



4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that the investigation is not completed and the second petitioner is having one similar previous case in Cr.No.278 of 2019 under Section 379 IPC and Section 21(1) of the Mines and Minerals (Development & Regulation) Act.

5.Considering the nature of case where it is alleged that the petitioners illegally transported red sand and the fact that the second petitioner is having one similar previous case pending, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is dismissed.

sd/-
06/07/2021

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

ORDER
IN
CRL OP(MD) No.8821 of 2021
Date :06/07/2021

GNS
TE/AKM/SAR-II : 09/07/2021 : 2P/3C