



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.8942 of 2021

Kannusamy ... Petitioner/sole Accused

Vs

State rep by
The Sub Inspector of Police,
Annavasal Police Station,
Pudukottai District.
Crime No.579 of 2021.

.. Respondent/Complainant

For Petitioner : Mr.Ganapathi Subramanian. P,
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.579 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 IPC r/w Sections 21(1) and 21(2) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.579 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 30.06.2021, at about 09.00 am., when the respondent police was engaged in preventing offences relating to mines and minerals, they found near Pirankulam, a lorry bearing registration No.TN 75 F 6768. they stopped the said vehicle and found that the lorry contained 2 units of sand removed from Prankulam for the purpose of sale. The driver of the said vehicle had escaped from the scene. Hence, the complaint.

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



4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that investigation is not completed.

5.The allegation made in FIR shows that the petitioner said to have been removed sand from Prankulam for the purpose of sale. Pond is a water body. Indiscriminating removal of sand from pond, kanmai, river, oodai will affect the natural web. As a result, it affects not only the present population, but the posterity as well. In this view of the matter and also the fact that investigation is in preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

Sd/-
07/07/2021

/ TRUE COPY /

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

GNS

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 SUB INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDUKOTTAI DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.8942 of 2021
Date : 07/07/2021

VB/VR/SAR.III/13.07.2021/2P/3C