



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/07/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.9222 of 2021

Murugesan ... Petitioner/Sole Accused

Vs

The state rep.by
The Inspector of Police,
Athiramapptinam Police Station,
Thanjavur District.
Crime No. 617/2021..

... Respondent/Complainant

For Petitioner : Mr.S.J.Chakkkaravarthy,
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.617 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 21(1) of the Mines and Minerals (Development & Regulation) Act r/w Section 379 IPC in Crime No.617 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 06.07.2021, the defacto complainant found in petitioner's land in survey No.123-2, 15 units of river sand was stocked. The petitioner had no permit to stock this sand. 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. He further submitted that he stocked the sand for the purpose of fishing form.



4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that investigation is not completed and the petitioner has one similar previous case in Cr.No.124 of 2021.

5.It is seen from FIR that 15 units of sand was illegally stocked for the purpose of sale. The petitioner has not produced any material to show that he got permit to stocking the sand. It is also seen that the petitioner has one similar previous case. Considering all these facts, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

13/07/2021

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

ORDER

IN

CRL OP(MD) No.9222 of 2021

Date :13/07/2021

SA/JC/SAR.3/15.07.2021/2P/3C