



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/07/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.9249 of 2021

Boominathan

... Petitioner/Accused

Vs

The State Rep. by,
The Inspector of Police,
Pandanallur Police Station,
Thanjavur District.
(Crime No. 103 of 2021).

... Respondent/Complainant

For Petitioner : Mr.P.R.Prithviraj,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.103 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested on 29.06.2021 for the offences punishable under Sections 379 of IPC r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.103 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 23.02.2021 at about 20.00 hrs the respondent police found a blue colour New Holland 3600 tractor with a red colour trailer near Kollidam river. The accused persons were loading sand from the river. On seeing the police, they escaped. Therefore the case came to be registered.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 29.06. 2021, hence he seeks bail.



4. The learned Additional Public Prosecutor appearing for the respondent police opposed this petition on the ground that the investigation is not completed and the petitioner is having one similar previous case in Crime No. 633 of 2020.

5. Taking note of the facts and circumstances of the case and also the fact that the investigation is not yet completed and the fact that the petitioner is having one similar previous case, this Court is not inclined to grant bail to the petitioner.

6. Hence, the petition stands dismissed.

sd/-
14/07/2021

/ 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,
PANDANALLUR POLICE STATION,
THANAJVUR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
3. THE OFFICER INCHARGE,
SUB JAIL, KUMBAKONAM.

ORDER
IN
CRL OP(MD) No.9249 of 2021
Date :14/07/2021

AAV
USK/JC/SAR-III : 16/07/2021 : 2P/4C