



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.9275 of 2021

Kulanthaisamy ... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Avudaiyarkoil Police Station,
Avudaiyarkoil, Pudukottai District.
Crime No. 255 of 2021

... Respondent/Complainant

For Petitioner : MR.S.ABDUL RAHUMAN, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

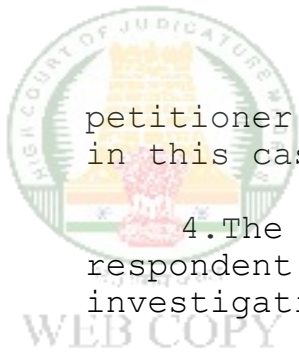
For Anticipatory Bail in Crime No.255 of 2021 on the file of the Respondent Police.

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 and Sections 21(1), 21(2) of the Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.255 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 03.06.2021, at about 20 hours, when the defacto complainant engaged in preventing offence relating to mines and minerals, they found near Narikudi a tractor bearing registration No.TN55AY4036 with ½ unit of river sand. On seeing police the driver stopped the vehicle and escaped from there. Hence, the complaint.

<https://hcservices.courts.gov.in/hcservices/> 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.It is a case of illegal transportation of $\frac{1}{2}$ unit of river sand. This offence of illegal mining is not only an offence against any particular individual, but against the Society at large. It affects not only the present population, but the posterity as well. Investigation is not completed. In this view of the matter, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is 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
AVUDAIYARKOIL POLICE STATION, AVUDAIYARKOIL,
PUDUKOTTAI DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.9275 of 2021
Date :14/07/2021

SA/SRS/SAR.3/19.07.2021/2P/3C