



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 14/07/2021

PRESENT

WEB COPY

**The Hon`ble Mr.Justice G.CHANDRASEKHARAN**

CRL OP(MD) . No.9360 of 2021

Govindasamy

... Petitioner/Accused No.1

Vs

The State rep.by,  
The Inspector of Police,  
Adiramapattinam Police Station,  
Thanjavur District.  
(Crime No.611/2021)

... Respondent/Complainant

For Petitioner : Mr.T.Sathiyathan, 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. 611/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 30.06.2021 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.611 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that 30.06.2021 at about 5.00 am., the respondent police on secret information about illegal sand mining visited Eripurakarai Railway gate and found nine bullock carts. On seeing the police eight persons ran away and the police apprehended one Govindasamy. On enquiry it was found that the all the nine bullock carts were loaded with river sand without any valid permission, 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 30.06.2021, hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent police opposed this petition on the ground that the

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investigation is not completed and the petitioner is having three similar previous cases in Crime Nos.276 of 2013,336 of 2014 and 71 of 2016.

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 three 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,  
ADIRAMAPATTINAM POLICE STATION,  
THANJAVUR DISTRICT.
- 2 THE OFFICER INCHARGE,  
DISTRICT PRISON, PUDUKOTTAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.9360 of 2021

Date :14/07/2021

AAV

MK/JC/SAR.III/16.07.2021/2P/4C