



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.1491 of 2022

Sankar

... Petitioner

Versus

State represented by
The Inspector of Police,
Chetpet Police Station,
Thiruvannamalai District.
(Crime No.29 of 2022)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest in Crime No.29 of 2022 on the file of the respondent police.

For Petitioner : Mr.V.Bhagiradhan

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

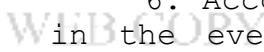
O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 379 and 430 of IPC r/w Section 21(1) of Mines and Minerals (Development & Regulation) Act 1957 in Crime No.29 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 10.01.2022 the respondent police got secret information regarding illegally transporting sand from Othalavasi river bed. The respondent police came there and found the 1/4 unit of Sand on Hackery. The above vehicle driver escaped from the occurrence. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner illegally transporting 1/4 unit of sand without any permission and no previous case pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.



६३.५ : प्रमेय ५३.६

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-
25/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
POLUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
CHETPET POLICE STATION,
THIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE REGISTERED ADVOCATE CLERK
ASSOCIATION, THIRUVANNAMALAI DISTRICT.

CC to M/S.V.BHAGIRADHAN Advocate on payment of necessary charges

CRL OP.1491/2022

Date :25/01/2022

RVR 01/02/2022