



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirtieth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7035 of 2022

RAMARAJ

[PETITIONER]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
GANGAVALLI POLICE STATION,
SALEM DISTRICT.
(CRIME NO.66/2022)

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 379 of I.P.C r/w Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.66 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the owner of the un-registered tractor in which 1 ½ units of red sand was illegally transported. Along with this tractor two other tractors carrying each 1 ½ units of red sand was also seized by the respondent police.

3.The petitioner herein submits that the red sand was taken from his own patta land to be used for the agricultural purpose by his friend Selvakumar and for the said purpose, he has not collected any money for the soil or for transport. One of the accused arrested along with the red sand and the tractor when produced before the Judicial Magistrate for remand and also stated the same version.



4. However, considering the fact that totally 4 ½ units of red soil in 3 different vehicles, out of which, one unregistered tractor has been engaged in transporting red sand illegally and the same has been seized during the check up. This petitioner though claims that red soil was taken for own purpose not for commercial use, but the manner in which the petitioner has transported red sand through unregistered tractor without any valid permit, this Court is not inclined to anticipatory bail to the petitioner.

5. Accordingly, this Criminal Original petition is dismissed.

-sd/-
30/03/2022

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 INSPECTOR OF POLICE
GANGAVALLI POLICE STATION,
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.E.KANNADASAN Advocate on payment of necessary charges

CRL OP.7035/2022

Date :30/03/2022

CSK 11/04/2022