



Crl.O.P.No.15921 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.222 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that Omalur Taluk Level Task Force Committee gave report to the Deputy Director, Mines and Geological Department, Salem regarding violation of rules in mining operations by the accused persons. Based on that report, the Deputy Director, Mines and Geological Department, Salem issued letter No.Na.Ka.785/2021/mines- Dt.6.4.2022 to the *de-facto* complainant (VAO Vellalapatty), VAO gave complaint alleged that lease holders committed theft of stones which were taken from lease land by violating the lease agreement and specific allegation against the petitioner is that the petitioner was permitted to do mining operations only to take 11,305 cubic meter stone, but he took excess of 88,407 cubic meter stones worth about Rs.3,88,10,673/- in the lease property and took 800 cubic meter stones worth about Rs.91,31,200/- in Government Prombokku land illegally. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that petitioner entered into a lease agreement to quarry the subject land



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for a period of 10 years.

4. In respect of the subject land belonging to the Government, despite after completion of lease period also, even till today, the petitioner is quarrying illegally and thereby caused loss to the Government exchequer to the tune of Rs.4,79,41,873/-.

5. Therefore, custodial interrogation of the petitioner is very much required and this court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original is dismissed.

08.07.2022

mpl



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