



Crl.O.P.No.16092 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 the petitioner and other accused persons had illegally quarried 'Jelly' namely rough stones in non permitted area in S.No.12. Based on the complaint lodged by the Village Administrative Officer, Vellalappatti, the complaint was registered in Crime No.222 of 2022.

3. The learned counsel appearing for the petitioner would submit that the petitioner entered into a lease agreement with the Government of Tamil Nadu Lessor rep. by District Collector, , for mining of rough stones and jelly in S.No.12, Jegadevanpatti, Omalur, Salem District for the period from 30.06.2003 to 29.06.2013. He further submitted that as per the condition contemplated in the lease agreement, the petitioner mined the rough stone and jelly without any violation of the lease in the year 2013 and no complaint was lodged as against the petitioner by the villagers for the offence as alleged by the prosecution. Therefore, he seeks anticipatory bail to the petitioner.



Crl.O.P.No.16092 of 2022

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4. The learned Additional Public Prosecutor would submit that there are totally four accused in this case and the petitioner is arrayed as A3. He further submitted that the petitioner along with other accused persons illegally quarried rough stones and thereby caused huge loss to the Government. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that the petitioner and along with other accused persons were permitted to quarry the rough stones by lease agreement whereas, they have quarried more quantities as permitted by the Government thereby, they caused huge loss to the tune of Rs.7,50,97,974/- (Rupees Seven Crore Fifty Lakhs Ninety Seven Thousand Nine Hundred and Seventy Four only). Therefore, this court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original petition stands dismissed.

13.07.2022

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