



Crl.OP.No.19326 of 2023

G.CHANDRASEKHARAN, J.

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 430 and 379 of IPC read with 21(1) of Mines & Minerals (Development & Regulation) Act 1957, in Crime No.273 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.Learned counsel for the petitioner submitted that petitioner is an innocent person and he has been falsely implicated in this case. Apprehending arrest in Crime No.273 of 2023 registered for the offences under Sections 430 and 379 of IPC read with 21(1) of Mines & Minerals (Development & Regulation) Act 1957, this petition is filed by the petitioner.

3.In response, learned Additional Public Prosecutor submitted that on 20.05.2023, at about 12.00 hrs, respondent found four persons loading river sand in a TATA Ace vehicle bearing Reg.No.TN 20 CZ 2119, opposite to the Thottikalai Wine shop. Opposite to the wine shop, there is a river bank.



Accused were loading sand from the river bank. On seeing the police, they escaped from there. The vehicle and the sand were seized.

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4.Considered the rival submissions and perused the records.

5.This is second anticipatory bail petition. It is the submission of learned Additional Public Prosecutor that since, the accused are absconding, Police is not able to arrest the petitioner. Considering the fact that accused had illegally stolen the sand from the river bank and that investigation in this case is not completed, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

05.09.2023

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