



Crl.O.P.No.4927 of 2024

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**C.V.KARTHIKEYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 379 IPC read with Rule 21(1), 4(1) and 4(1A) of the Tamil Nadu Mines and Minerals Development Regulation Act 1957 in Crime No.147 of 2023 with respect to an occurrence on 10.10.2023, seeks anticipatory bail.

2. It is the case of the prosecution that the Village Administrative Officer of Servaikaranpalayam Village at Coimbatore District was informed by the respondent that when they were check the vehicles passing through Vadakukadu Check Post, they found four lorries bearing Registration Nos. KL 64 L 8566, KL 41 P 0039, KL 70 A 9412 & KL 64 L 9921 transporting rough stone with an expired permit documents. The drivers of the vehicles ran away from the place. The vehicles had been seized and hand over to the respondent and then later an FIR had been registered.

3. The learned counsel for the petitioner stated that there are not previous antecedents against the petitioners herein and also drew the



Crl.O.P.No.4927 of 2024

attention of this Court to the punishments which could be imposed maximum of 2 years and therefore stated that the Court should grant anticipatory bail to the petitioners herein.

4. A counter affidavit has been filed on behalf of the respondent wherein it had been stated that the respondent had received information about transportation of rock stone through four separate lorries without any permit. The lorries were intercepted. It had been further stated that in each lorry, four units of rock stones have been transported. It is stated that deep investigation will have to be done whether this stand with transportation of rock stone or whether it is a continuous series of such transportation of rock stone from Tamilnadu to Kerala. The source from which the rock stone will be permitted will have also to be determined. It is stated that this Court had dismissed the anticipatory application for the co-accused in Crl.O.P.No.3207 of 2024 vide order dated 28.02.2024.

5. The learned counsel for the petitioner stated that the Hon'ble Supreme Court had held that if the offence is less than 7 years, then the accused must be granted. No citation had been given in that regard.



CrI.O.P.No.4927 of 2024

6. Taking into consideration the seriousness of the offence and more particularly the stand of the respondent that the investigation will have to be done whether such transportation is part of a continuous series of transportation of rock stones, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, this Petition stands dismissed.

**01.03.2024**

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Crl.O.P.No.4927 of 2024

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