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Crl.O.P.No.31725 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31725 of 2024

Manavalan

Petitioner(s)

Vs

State rep. by
The Inspector Of Police,
Arakandanallur Police Station,
Villupuram Dt.
(Crime No. 339 of 2022)

Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of B.N.S.S. praying to enlarge the petitioner on bail in the event of his arrest in Crime No. 339 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.Magesh Kumar

For Respondent : Mr.S.Santhosh,
Govt. Advocate (Crl. Side)



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ORDER

Apprehending arrest in connection with Crime No.339 of 2022 registered for the offences punishable under Sections 379 and 430 of I.P.C. r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that, based on secret information received from the informant, the respondent police went to the Kakkakuppam, Thenpennai river, they intercepted the bullock cart, wherein they found the petitioner in possession of $\frac{1}{4}$ unit of river sand without any approval from the appropriate authority. Hence, this case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He would submit that the petitioner is ready to abide with any condition that may be imposed by this Court.



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4. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that when the respondent police was on surveillance with other police officials on 05.07.2022, they intercepted the bullock cart and on search, they found that the petitioner herein was in possession of $\frac{1}{4}$ unit of river sand illegally without any valid permission. He would further submit that 6 previous cases of similar in nature are pending against him.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also taking note of the fact that 6 previous cases similar in nature pending against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner and Accordingly, this Criminal Original Petition is dismissed.



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To

1. Judicial Magistrate,
Thirukoilur at Kallakurichi Dt.
2. Inspector Of Police,
Arakandanallur Police Station,
Villupuram Dt.
3. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDRA, J.

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