

In the Court of the Principal District Judge, Madurai.

Present : **Thiru.M. Balakumar, B.A., M.L.,**

(V Additional District Judge, Madurai)

Principal District Judge, Madurai. (i/c)

Thursday, this the 10th day of September -2020.

Crl.M.P.No.4062/2020

Muniyandi,S/o.Durairaj

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Sholavanadan,P.S. Cr.No.1777/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.G.Elangovan, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following

Order

1. Bail application u/s. 439 of Cr.p.c.
2. The offences alleged are U/s. 370 and 430 of IPC r/w. 21(5) of MMDR Act.
3. Heard both sides.
4. The learned counsel for the petitioner argued that the accused was implicated in this case u/s. 370 and 430 of IPC r/w. 21(5) of MMDR Act. The petitioner/ accused is falsely implicated in the case of involvement, in the theft of river sand.

5. In reply, the learned public prosecutor argued that the accused was arrested on 27.8.2020 for the theft of ¼ unit of river sand in a bullock cart. However, the Public prosecutor also stated that the accused has no previous case. The petitioner counsel argued that the petitioner is a Diabetic and he is taking treatment in judicial custody also necessary medicines are given to him on proper permission. The petitioner counsel also argued that earlier petition

was dismissed on 4.9.2020 in Cr.M.P.No.3925/2020. Though the petitioner counsel has stated that the accused is an diabetic, considering the nature of offence, which the accused is involved in against the wealth of nature by indulging these type of activities cannot be encouraged. Therefore, this bail petition deserves to be dismissed.

6. In the result, the bail petition is dismissed accordingly.

Pronounced by me in Open Court on the 10th day of September -2020.

Sd/- M. Balakumar

V Additional District Judge, Madurai

Principal District Judge, Madurai.(i/c)

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1. The Judicial Magistrate concerned