

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.05.2020

THE HON'BLE MR.JUSTICE T.RAVINDRAN

CRL.OP.No.7578 of 2020

Sudhakar

...Petitioner

Vs.

The State represented by

The Inspector of Police

THITTACHERRY Police Station, Nagapattinam District. ...Respondent

Prayer: Criminal Original Petition is filed under Section 438 of Cr.PC, seeking bail to the Petitioner in the event of his arrest in Crime No. 228 of 2020, on the file of the respondent police.

For Petitioner

: Mr.J.Jawahar

For Respondent

: Mr.ShunmugaRejeswaran  
Government Advocate (Criminal Side)

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## ORDER

Apprehending arrest for the offences punishable under Sections 379, 430 of IPC and 21 (1) Mines and Minerals (Developments and

Regulation) Act 1957, in crime No. 228 of 2020, on the file of the respondent police, the petitioner has come forward with this petition seeking for Anticipatory Bail.

2. Briefly stated, according to the prosecution, the petitioner without any sanction and authority, had lifted the sand unauthorisedly and thereby committed the offences put forth against him.

3. According to the petitioner's counsel, the case has been falsely foisted against him and he has not committed any offence and ready to cooperate with the investigation and abide with any condition that may be imposed by this court and sought for the relief prayed for.

4. Per contra, according to the learned Public Prosecutor, the sand involved in the occurrence is half a unit and the investigation is still pending and further it is put forth by him that no previous case is pending against the petitioner and prayed that this court, in the event of granting the relief sought for by the petitioner, may impose appropriate conditions with reference to the same.

5. Considering the nature of the accusation levelled against the petitioner and inasmuch as the quantum of sand involved in this occurrence is half a unit and as no previous case is pending against the petitioner and further as the petitioner is ready to cooperate with the

investigation in all aspects, I am inclined to grant the relief sought for by the petitioner on conditions.

6. For the reasons aforestated, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance within 15 days from the date of receipt of copy of this order before the Judicial Magistrate – II, Nagapattinam, on condition of his

(i) executing a bond for Rs.10,000/- (Rupees Ten thousand) with one surety for a like sum to the satisfaction of the respondent police or the police officer who arrest him or the aforestated Judicial Magistrate and

(ii) depositing a sum of Rs.8,000/- (Rupees Eight thousand) before the District Mineral Foundation, Nagapattinam District, within one week from the date of receipt of a copy of this order and

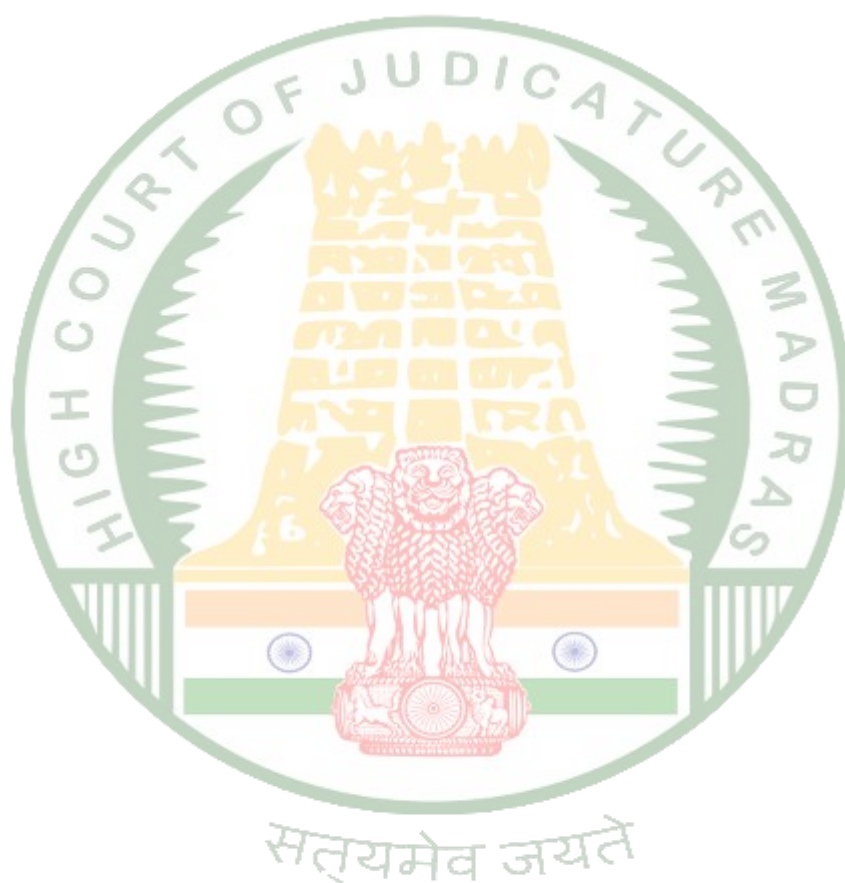
(iii) also directed to adhere to the conditions set out under Section 438 Cr.Pc.

Accordingly, the Criminal Original Petition is allowed.

14.05.2020

Internet :Yes/No

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**T.RAVINDRAN, J**

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To

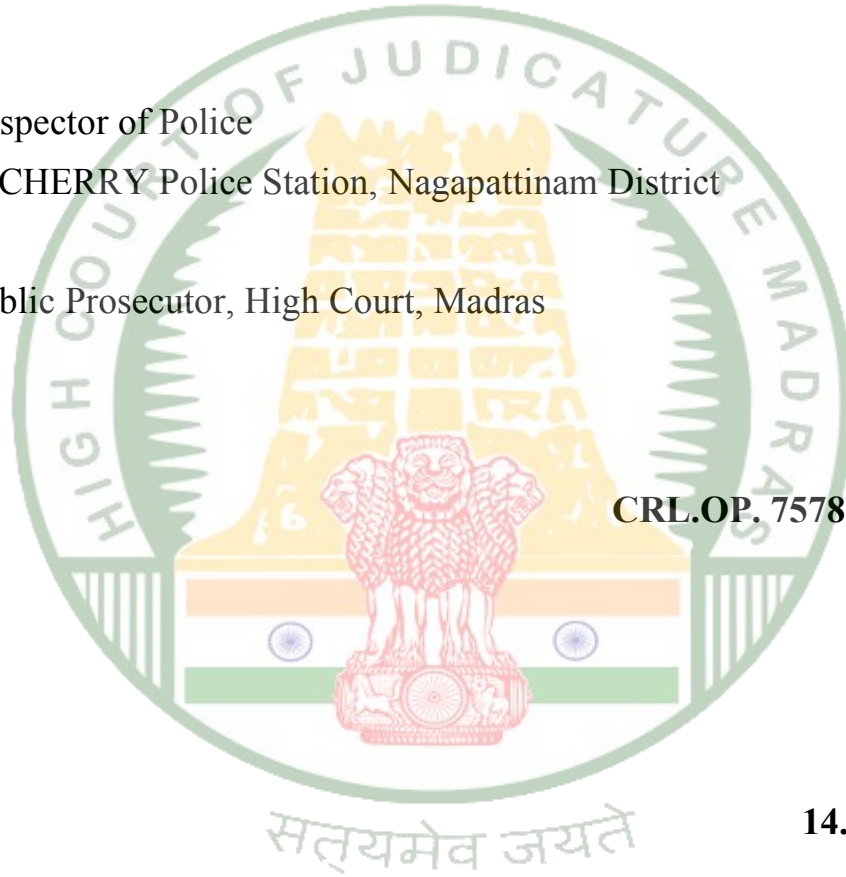
1. The Inspector of Police

THITTACHERRY Police Station, Nagapattinam District

2.The Public Prosecutor, High Court, Madras

**CRL.OP. 7578 of 2020**

**14.05.2020**



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