



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 24/02/2020

PRESENT

The Hon'ble Mr. Justice G.R. SWAMINATHAN
CRL OP(MD). No.3252 of 2020

WEB COPY

1. Mathikumar

2. Mathavan

... Petitioners/Accused No.2&3

Vs

State: Represented by
The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
(Crime No.23/2020).

... Respondent/Complainant

For Petitioners : M/s.T.A.Ebenezer,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

for Anticipatory bail in Crime No. 23 of 2020 on the file of
the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the
learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offence punishable under section 379 of
I.P.C., and Section 21(1) of Mines and Minerals (Development and
Regulation) Act, 1957, in Crime No.23 of 2020 on the file of the
respondent police, seek anticipatory bail.

3. The first petitioner is having previous cases of the same
nature. Hence, this criminal original petition is dismissed as
regards the first petitioner.

4. The case involves two units of sand. The second petitioner
is not having any previous case.

5. The second petitioner undertakes to deposit a sum of
Rs.15,000/- as non refundable amount to the credit of the concerned
District Minerals Foundation Trust.



4. Recording the said undertaking, I am inclined to grant anticipatory bail to the second petitioner with certain conditions. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Orathanadu, and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the second petitioner shall appear before the respondent police as and when required for interrogation. The second petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The second petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
24/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE
ORATHANADU, THANJAVUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM

3 THE INSPECTOR OF POLICE
THIRUVONAM POLICE STATION,
THANJAVUR DISTRICT.

4 THE THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER IN CHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR DISTRICT.

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.3846

ORDER
IN
CRL OP(MD) No.3252 of 2020
Date :24/02/2020