



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/03/2020

WEB COPY

PRESENT

The Hon`ble MR.Justice RMT.TEEKAA RAMAN

CRL OP(MD) . No.5031 of 2020

1.K.ANBAZHAGAN
2.ARASU

... PETITIONERS/ ACCUSED NOS.1 AND 2

VS

STATE REPRESENTED BY
INSPECTOR OF POLICE,
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.71 OF 2020)

... RESPONDENT/COMPLAINANT

For Petitioners : Mr.S.Mahalakshmi,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side).

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

PRAYER :-

for Anticipatory bail in Crime No.71 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 21(4) of the Mines and Minerals (Development and Regulation) Act, in Crime No.71 of 2020, on the file of the respondent police, seek anticipatory bail.

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

3.The learned Government Advocate (Crl.side) appearing for the respondent would submit that the the petitioners illegally excavated and transported unit of river sand.

<https://hcs.easports.com/hcs/v4/es>



4.The learned counsel for the petitioners would submit that the petitioners have not committed any offence whatsoever and the alleged transportation of river sand is only upon the engagement of some other person, who represented to have valid licence for transportation of sand. Only on good faith and believing the words of those persons, the petitioners loaded and transported the river sand.

5.Taking note of the facts and circumstances of the case, anticipatory bail is granted with certain conditions. Accordingly, the petitioners undertake to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) each as non refundable deposit to the credit of the concerned District Mineral Foundation Trust and on such deposit, they are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Papanasam, Thanjavur District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of three weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioner shall appear before the concerned Magistrate on or before 27.04.2020, failing which, the petition for anticipatory bail shall stand dismissed. In view of the medical alert announced by the State Government, I am inclined to grant time for furnishing the sureties as state above.

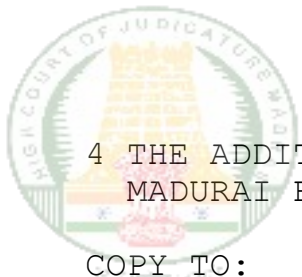
sd/-
23/03/2020

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
PAPANASAM, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT.



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

COPY TO:

THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR DISTRICT.

ORDER

IN

CRL OP(MD) No.5031 of 2020

Date :23/03/2020

cp

JM/VR/SAR 3/24.03.2020/3P/6C