



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

Date : 11/06/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
CRL OP (MD) . No.5907 of 2020

Vadivazhagan

... Petitioner/Accused
Rank Not Known

Vs

State rep. by its
The Inspector of Police,
Thriukattupalli Police Station,
Thanjavur District.
Crime.No. 122 of 2019).

... Respondent/Complainant

For Petitioner : M/s.S.Deenadhayalan,
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.122 of 2019 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

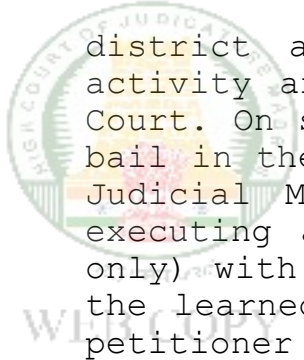
Heard the learned counsel appearing for the petitioner and the
learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 379
IPC, r/w Section 21(1) of Mines and Minerals (Development and
Regulation Act), 1957, in Crime No. 122 of 2019 on the file of the
respondent police, seeks anticipatory bail.

3.The petitioner's name is not figuring in FIR. He has been
implicated based on the confession of the first accused.

4.The learned Government Advocate(Criminal Side) points out
that the petitioner is having one previous case of the same nature.

5.However, taking note of the facts and circumstances of the case,
anticipatory bail is granted to the petitioner with certain
conditions. The petitioner undertakes to deposit a sum of Rs.5,000/-
(Rupees Five Thousand only) as non refundable deposit to the credit
of Crime No.122 of 2019, before the jurisdictional Court. It will be
without prejudice to the petitioner's defence in the trial. The said
amount will be transferred by the Court to the account of any relief
fund that may be maintained by the district administration. The



district administration shall spend the amount for any welfare activity and also submit user certificate to the Registry of this Court. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District 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 petitioner shall appear before the respondent police 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 within a period of eight weeks from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
11.06.2020

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

DAS

Note : In view of the present lock down owing to COVID -19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. Judicial Magistrate,
Thiruvaiyaru, Thanjavur District.
2. Through The Chief Judicial Magistrate,
Thanjavur at Kumbakonam.
3. The Inspector of Police,
Thriukattupalli Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP (MD) No.5907 of 2020
Date : 11/06/2020