



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

Date : 12/06/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
CRL OP(MD) . No.5993 of 2020

1. Thinakaran
2. Senthilkumar

... Petitioners/Accused Rank 1 and 2

Vs

State rep by
The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
Cr.No.231/2020.

... Respondent/Complainant

For Petitioner : M/s. M.Ganeshkamu,
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 Cr.no.231 of 2020 in 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.

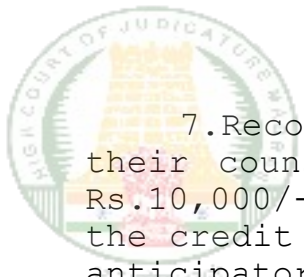
2.The petitioners apprehending arrest at the hands of the
respondent police for the offences under section 379 of I.P.C., and
Section 4(1)(1A), 21(1) of Mines and Minerals (Development and
Regulation) Act, 1957, in Crime No.231 of 2020, on the file of the
respondent police, seek anticipatory bail.

3.The contraband involves in this case is one unit of river
sand.

4.The learned Government Advocate (crl.Side) appearing for the
respondent points out that the petitioners are having bad
antecedents.

5.It is seen from the records that for the last five years, the
petitioners have not come under the adverse notice.

6.The learned counsel appearing for the petitioners states that
each of the petitioners will deposit a sum of Rs.10,000/- to the
credit of Crime No.231 of 2020 before the Jurisdictional Magistrate.



7. Recording the undertaking given by the petitioners through their counsel that each of the petitioners will deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non refundable deposit to the credit of Crime No.231 of 2020, before the jurisdictional Court, anticipatory bail is granted with certain conditions. It will be without prejudice to the petitioners' 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 petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Rajapalayam, and on their 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 petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

8. The petitioners 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/-
12.06.2020

/ TRUE COPY /

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

MYR

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. The Judicial Magistrate Court, Rajapalayam.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District.
3. The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.Cr.No.231/2020.



4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

WEB COPY

ORDER

IN

CRL OP (MD) No.5993 of 2020

12/06/2020

VB SKN SAR 2 (15.06.2020) 3P 5C