



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

Date : 12.06.2020

WEB COPY

PRESENT

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

CRL OP(MD) . No.6180 of 2020

Asaithambi

... Petitioner/Accused No.1

Vs

State Rep by
The Inspector of Police,
Suchindram Police Station,
Nagercoil,
Kanyakumari District.
In Crime No.101 of 2020.

... Respondent/Complainant

For Petitioner : M/s. G. Anto Prince
Advocate.

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

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

PRAYER :-

To enlarge the Petitioner/Accused on bail in the event of arrest in Cr.No.101 of 2020, pending investigation, on the file of the Inspector of Police, Suchindram Police Station, Nagercoil,

ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the respondent police for the offences under section 379 of I.P.C. r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act,1957. in Cr.No.101 of 2020, on the file of the respondent police, seeks anticipatory bail.

3. The learned Government Advocate (Criminal Side) states that the petitioner illegally transported one unit of sand.



4. Taking note of the facts and circumstances of the case, anticipatory bail is granted with certain conditions. The petitioner undertakes to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand Only) as non refundable deposit to the credit of Crime No.101 of 2020, 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 Court No.III, Nagercoil 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.

5. 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/-
12/06/2020

/ TRUE COPY /

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

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 NO.III,
NAGERCOIL.
2. DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.



3. THE INSPECTOR OF POLICE,
SUCHINDRAM POLICE STATION,
NAGERCOIL,
KANYAKUMARI DISTRICT.

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

ORDER

IN

CRL OP (MD) No.6180 of 2020

Date :12/06/2020

VRN

SRS/ JC/ SAR-II/ 18.06.2020/ 3P/5C