



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/07/2020

WEB COPY

PRESENT

The Hon`ble **MR.JUSTICE G.R.SWAMINATHAN**

CRL OP(MD) . No.7259 of 2020

JEYAMURUGAN

... PETITIONER/ACCUSED NO.3

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
IN CRIME NO. 450 OF 2019
SIVAGANGAI DISTRICT.

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.K.Sathish Kumar, 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. 450 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 under section 379 of IPC r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.450 of 2019, seeks anticipatory bail.

3.This Court had earlier granted anticipatory bail to the petitioner on 21.01.2020 in Crl.O.P(MD).No.761 of 2020. It appears that the petitioner did not comply with the condition. Therefore, the earlier order got itself worked out. That has necessitated the filing of this second original petition.

4.The allegation is that the petitioner has illegally transported two units of river sand.



5. The petitioners' counsel gives an undertaking that the petitioner will deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of the instant crime number before the jurisdictional Magistrate. The learned Magistrate will arrange to transfer the said amount immediately to any relief fund or welfare fund maintained by the District Administration. The District Administration will also spend the same immediately on some welfare measure and send the user certificate to the Registry of this Court.

6. Recording the said undertaking given by the petitioner's counsel, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Manamadurai, Sivagangai 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.

7. 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/-
15/07/2020

/ 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,
MANAMADURAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.



3 THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT

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

ORDER

IN

CRL OP(MD) No.7259 of 2020

Date :15/07/2020

RMK

JM/VR/SAR 2/27.07.2020/3P/5C