



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/01/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.19601 of 2019

Karunakaran

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Alwarthiru Nagari Police Station,
Thoothukudi District.
(Crime No.180/2019)

... Respondent/Complainant

For Petitioner : M/s.M.Prabu,
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. 180/2019 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 section 379 of I.P.C., and Sections 4(1)-(A) and 21 of Mines and Minerals Act, in Crime No.180 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. It appears that the petitioner had stacked a large quantity of sand which was excavated from his own private patta land. Therefore, I am inclined to grant relief. The only crime appears to be that he has not obtained permit to do so.



4. Since the source of the sand is the petitioner's own private land, 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, Srivaikundam, Thoothukudi 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.

5. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
20/01/2020

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

TO

1. THE JUDICIAL MAGISTRATE, SRIVAICKUNDAM,
THOOTHUKUDI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALWARTHIRU NAGARI POLICE STATION, THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.PRABU, Advocate (SR-949[I] dated 20/01/2020)

ORDER
IN
CRL OP(MD) No.19601 of 2019
Date :20/01/2020

MS/PN/SAR-2/22.01.2020/2P.6C