



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.22662 of 2021

Thavamani

... Petitioner

Vs.

State Rep by
Inspector of Police,
Villupuram Taluk Police Station,
Villupuram.
(Crime No.1240 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to grant anticipatory bail to the petitioner in the event of
arrest in Crime No.1240 of 2021 by the respondent police.

For Petitioner : Mr.C.Adhikesavan

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379, 430 of IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act 1957 in Crime No.1240 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused had illegally transported ½ unit of river sand by using TATA Ace without any valid licence. Hence the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. However, on instructions, the learned counsel further submits that the petitioner, on his own



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[d] the petitioner is directed to report before the respondent police on every Thursday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

6. The Chief Educational Officer shall submit the necessary proof with regard to the expenditure incurred and works that were done for the improvement/rehabilitation of the schools in the District before the Director of School Education as and when such works are completed by utilising the money as ordered by this Court.

-sd/-
29/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, VILLUPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION].



3 THE INSPECTOR OF POLICE,
VILLUPURAM TALUK POLICE STATION,
VILLUPURAM

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE CHIEF EDUCATIONAL OFFICER,
VILLUPURAM DISTRICT.

+1 CC to M/S. C. ADHIKESAVAN Advocate on payment of necessary
charges SR.NO.13627

CRL OP.22662/2021

Date :29/11/2021

JPA 02/12/2021