



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 02/11/2021

PRESENT

**The Hon`ble Mr.Justice B.PUGALENDHI**  
CRL OP(MD). No.17189 of 2021

WEB COPY

Ranjithkumar

... Petitioner/Accused 2

Vs

State Rep.by  
The Inspector of Police,  
Aravayal Police Station,  
Sivagangai.  
(Cr.No. 119/2021).

... Respondent/Complainant

For Petitioner : M/s.Manikandan P,  
Advocate.

For Respondent : Mr.P.Kottaichamy,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr.No. 119/2021 on the file of the  
respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the  
respondent police for the alleged offence punishable under Sections  
379 of IPC and 21(4) of Mines and Minerals (Development &  
Regulation) Act, 1957, in Crime No.119 of 2021, seeks anticipatory  
bail.

2.The case of the prosecution is that the petitioner along with  
other accused have tried to illegally transport the river sand.

3.Learned Counsel for the petitioner submits that the  
petitioner is an innocent and he has not committed any offence as  
alleged by the prosecution, but, a false case has been foisted as  
against him.

4.The learned Government Advocate(Crl.side) appearing for the  
respondent police submitted that the investigation is yet to be  
completed. He further submitted that no previous cases is pending  
against the petitioner.

5. Considering the facts and the circumstances of this case,  
this Court is inclined to grant anticipatory bail to the petitioner  
with certain condition.



6. Accordingly, this Criminal Original Petition is allowed. The petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Thevakottaim, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

**[a]**the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judge may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

**[b]**the petitioner shall report before the respondent police daily at 10.30 am., until further orders.

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

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

**[e]**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]**.

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

sd/-  
02/11/2021

/ TRUE COPY /

/ /2021  
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,  
Thevakottaim.

2.Do Through The Chief Judicial Magistrate,  
Sivagangai District.

3.The Inspector of Police,  
Aravayal Police Station,  
Sivagangai.

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

ORDER

IN

CRL OP(MD) No.17189 of 2021

Date :02/11/2021

**RS/JM/SAR1 (11.11.2021) 3P 5C**