



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

Date : 09/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19443 of 2021

1. Ramachandran
2. Eswaran

... Petitioners/Accused Rank Not Known

Vs

The State rep.by,
The Inspector of Police,
Maruvur Police Station,
Thanjavur District.
Crime No.167 of 2021.

... Respondent/Complainant

For Petitioners: Mr.K.M.Karunakaran,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.167 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 379 IPC r/w 21(1) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.167 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the accused persons had illegally transported ½ unit of sand without any valid permit in the bullock carts vehicle. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent, that the petitioners are the owners of the alleged vehicle.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the first petitioner is having one previous case and second petitioner is not having any previous case and the investigation is not yet completed.



5.As the first petitioner is having one previous case at his credit, the learned counsel for the petitioners would express his willingness to not press the petition, as far as the first petitioner is concerned.

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6.Considering the facts and circumstances of this case, that the second petitioner is not having any previous case at his credit, this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions.

7.Accordingly, the second petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the District Mineral Foundation Trust, Thanjavur, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the Judicial Magistrate, Thiruvaiyaru.

7.On production of such receipt/acknowledgment, the second petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Thiruvaiyaru 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 the second petitioner shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The second petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

9.Accordingly, this Criminal Original Petition is dismissed as not pressed, with respect to first petitioner.

sd/-

09/12/2021

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/ /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,
THIRUVAIYARU.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONM.

3 THE INSPECTOR OF POLICE
MARUVUR POLICE STATION, THANJAVUR DISTRICT.

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

COPY TO:

THE OFFICER INCHARGE,
THE DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR.

ORDER

IN

CRL OP(MD) No.19443 of 2021

Date :09/12/2021

PNM

MK/VR/SAR.IV/14.12.2021/3P/6C