



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

Date : 10/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.19637 of 2021

WEB COPY

- 1.Chinnamundu @ Iyappan @ Manikandan,
2. Murugesan,
3. Dhinesh, ... Petitioner/Accused No.1, 2 & 8

Vs

State Rep by
The Inspector of Police,
Kulithalai Police Station,
Kulithalai,
Karur District.
(Crime No.944 of 2021).

... Respondents/Complainants

For Petitioner : M/s. Silambarasan M.
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.944 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1,2 & 8 apprehending arrest at the
hands of the respondent police for the alleged offences punishable
under Sections 379 of I.P.C r/w 21(1) Mines and Minerals
(Development & Regulation) Act, 1957, in Crime No.944 of 2021 on the
file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the
other accused have illegally transported 1 unit of river sand by
using Tata Ace vehicle. Therefore, the present case came to be
registered.

3. The learned counsel for the petitioners submitted that the
petitioners are innocent and they have been falsely implicated in
<https://hcservices.mca.gov.in/hcservice/>



this case. However, to show their *bona fide*, the petitioners have come forward to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.944 of 2021 before the trial Court concerned.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners and the other accused have illegally transported 1 unit of river sand by using Tata Ace vehicle. He further submitted that no previous case is pending against the petitioners.

5. Considering the nature of the mineral involved, the antecedents of the petitioners and their willingness to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.944 of 2021 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Kulithalai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners 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 stands dismissed.

sd/-
10/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dss



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 No.II,
Kulithalai.
2. Do-Through The Chief Judicial Magistrate,
Karur District.
3. The Inspector of Police,
Kulithalai Police Station,
Kulithalai,
Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-9140[I] dated 13/12/2021)

ORDER IN
CRL OP(MD) No.19637 of 2021
Date : 10/12/2021

TR/JC/SAR-III(16.12.2021) 3P 6C