



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19982 of 2021

1. Baskar,
2. Dinesh,
3. Thangairulappan,
4. Sathish, ... Petitioners/Accused Nos.2 to 5

Vs

State Rep by
The Inspector of Police,
Manapparai Police Station,
Trichy District.
(Crime No.1110/2021). ...Respondent/Complainant

For Petitioners: M/s.Jegadeesh Pandian.M,
Advocate.

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

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

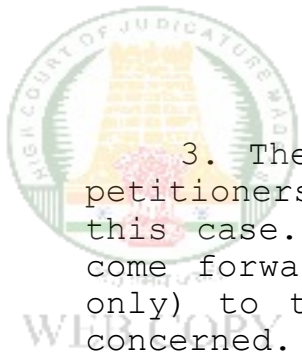
PRAYER :-

For Anticipatory Bail in Crime No.1110 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 to 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 I.P.C and 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.1110 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally transported one unit of river sand by using Tipper Lorry bearing Registration No.TN-67-AD-4959. Therefore, the present case



3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in 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.1110 of 2021 before the trial Court concerned.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners have transported one unit of river sand by using Tipper Lorry bearing Registration No.TN-67-AD-4959.

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.1110 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 Principal District and Sessions Judge, Special Court for MMDR Act Cases, Madurai, 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 Judge concerned and the petitioners shall appear before the respondent police daily at 10.30a.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/-
15/12/2021

/ 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 Principal District and Sessions Judge,
Special Court for MMDR Act Cases, Madurai.
2. The Inspector of Police,
Manapparai Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.19982 of 2021
Date : 15/12/2021

TR/PN/SAR-III(21.12.2021) 3P 4C