



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.19996 of 2021

WEB COPY

1. Kamalhasan
2. S.Sudha

... Petitioners/Accused Nos.1 and 3

Vs

The State rep.by
The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
Cr.No.368 of 2021.

... Respondent/Complainant

For Petitioner : M/s.ANAND.R,
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.368 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 and 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379, 353 IPC r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.368 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the police party went to the place of occurrence, on seeing them a Tractor along with Trailer bearing Registration Nos.65 U 9939 and TN 65 D 9362 fled away from the place without stopping even after signalling to stop. That was followed by the police team. Based upon which the case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the tractor was coming after unloading the river sand. But so far it appears that no materials have been collected with regard to the above said aspect.



5. Considering the nature of offence, no materials have been recovered in this case and even the first petitioner is having one previous case, it is not similar in nature, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Paramakudi, 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 on every Monday at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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 JUDICIAL MAGISTRATE, PARAMAKUDI, RAMANATHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PARAMAKUDI TALUK POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.ANAND.R, Advocate SR.No.9301

ORDER IN

CRL OP(MD) No.19996 of 2021
Date :15/12/2021

SA/VR/SAR.2/22.12.2021/2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>