



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.20073 of 2021

1. Alagu
2. Karthi

... Petitioners/Accused Nos.1 & 2

Vs

State rep by
The Inspector of Police,
Balamedu Police Station,
Madurai District.

(Cr.No. 288 of 2021). ... Respondent/Complainant

For Petitioners: Mr.T.Palanisamy,
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 Cr.No. 288 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 and 21(1) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.288 of 2021, seek anticipatory bail.

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

3.The learned counsel for the petitioners would submit that the petitioners are innocents, that they are not having any previous case at their credit.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners are having two previous



cases at their credit, but not in similar nature and the investigation is not yet completed.

5. Considering the facts and circumstances of this case, that the petitioners are not having any previous case, not in similar nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each to the credit of the District Mineral Foundation Trust, Madurai, without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the Special District Judge, Special Court for Mines and Minerals Act, Madurai.

7. On production of such receipt/acknowledgment, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Special District Judge, Special Court for Mines and Minerals Act, Madurai and on their executing 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 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Judge 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.

Sd/-
16/12/2021

/ TRUE COPY /

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

PNM

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 SPECIAL DISTRICT JUDGE,
<https://hcservices.ecourts.gov.in/hcservices/>
SPECIAL COURT FOR MINES AND MINERALS ACT,
MADURAI.



2. THE INSPECTOR OF POLICE,
BALAMEDU POLICE STATION,
MADURAI DISTRICT.

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

COPY TO

THE OFFICER INCHARGE
DISTRICT MINERAL FOUNDATION TRUST,
MADURAI.

ORDER

IN

CRL OP (MD) No.20073 of 2021

Date : 16/12/2021

VB/CN/SAR-I/21.12.2021/3P/5C