



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20278 of 2021

Selvaraj, ... Petitioner/Accused
Vs
State Rep by,
The Inspector of Police,
Karur Town Police Station,
Karur District. ... Respondent/Complainant

For Petitioner : Mr.V.Nagarajan, 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.1476/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends 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.1476 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons had illegally transported ¼ unit of river sand without any valid permit in the vehicle. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent, that the petitioner is the owner of the vehicle and he is having previous cases at his credit, but not similar in nature.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner was involved in the similar nature of offence in the year 2017, that was closed after investigation and now he is having previous cases at his credit, but not similar in nature and the investigation is not yet completed.

5.Considering the facts and circumstances of this case, as per the submission of the learned Government Advocate (Crl.Side) that the petitioner was involved in the similar nature of offence in the



year 2017 and that was closed after investigation and now he is having previous cases, but not for similar in nature, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the District Mineral Foundation Trust, Karur, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the Judicial Magistrate No.I, Karur.

7. On production of such receipt/acknowledgment, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.I, Karur 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 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 petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The 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.

sd/-
20/12/2021

/ 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 JUDICIAL MAGISTRATE NO.I,
KARUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
KARUR.



3 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR DISTRICT.

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

WEB COPY

COPY TO

THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
KARUR.

+1 CC to M/s.V.NAGARAJAN, Advocate (SR-9488[I] dated 20/12/2021)

ORDER
IN
CRL OP(MD) No.20278 of 2021
Date :20/12/2021

PKP/VR/SAR-2/28.12.2021/3P/7C