



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20581 of 2021

1. Aravind
2. Balamurugan
3. E.Murugesan

... Petitioners/Accused No.1,2 & 4

Vs

State Rep.by
The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(Crime No.398/2021).

... Respondent/Complainant

For Petitioners: Mr.J.Jeyakumaran,
Advocate.

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

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

PRAYER :-

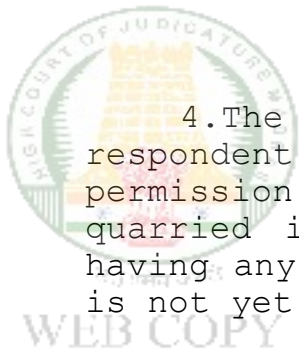
For Anticipatory Bail in Crime No.398 of 2021 on the file of the respondent police.

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(I) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.398 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the accused persons had illegally transported 3 units of gravel sand (saralai) in the vehicles bearing registration number TN 69 BC 6296 without getting any valid permit. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners had obtained quarry license till 02.03.2022 and they had transported the gravel sand within the permit period, ie., 10.12.2021 to 02.03.2022, for which he also produced the permit.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that even though the first accused obtained permission and quarry license in one survey number and illegally quarried in another survey number, that the petitioners are not having any previous case at their credit and that the investigation is not yet completed.

5.Considering the facts and circumstances of this case, that the permit was issued on 14.12.2021 and valid upto 16.12.2021 and that the petitioners are not having any previous case at their credit, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners shall pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each to the credit of the District Mineral Foundation Trust, Thoothukudi, without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the Judicial Magistrate No.III, Thoothukudi.

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 Judicial Magistrate No.III, Thoothukudi 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 Magistrate 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 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/-
22/12/2021

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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

WEB COPY

- 1.The Judicial Magistrate No.III,
Thoothukudi.
- 2.Do Through The Chief Judicial Magistrate,
Thoothukudi.
- 3.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
- 4.The Officer Incharge,
District Mineral Foundation Trust,
Thoothukudi.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.20581 of 2021

Date :22/12/2021

RS/CN/SAR.4 (05.01.2022) 3P-6C