



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). Nos.20577 & 20573 of 2021

J.Sundarkarthi

... Petitioner/Accused No.2
in Crl.OP(MD)No.20577 of 2021

M.Palpandi

... Petitioner/Accused No.1
in Crl.OP(MD)No.20573 of 2021

Vs

State through
The Inspector of Police,
Vadipatti Police Station,
Madurai District.
Cr.No. 540 of 2021.

... Respondent/Complainant
in both petitions

In Crl.OP(MD)No.20577 of 2021:

For Petitioner : Mr.R.Aravind Raj,
Advocate.

In Crl.OP(MD)No.20573 of 2021

For Petitioner : Mr.S.Amalan,
Advocate.

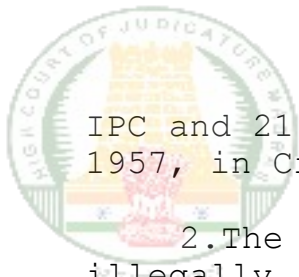
For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)
in both petitions

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No.540 of 2021 on the file of
the Respondent Police.

COMMON ORDER : The Court made the following order :-



IPC and 21(4) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.540 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the accused persons had illegally transported 3 units of red 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 not having any previous case at their credit 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 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, Madurai, without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the Judicial Magistrate, Vadipatty, Madurai District.

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, Vadipatty, Madurai District 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.

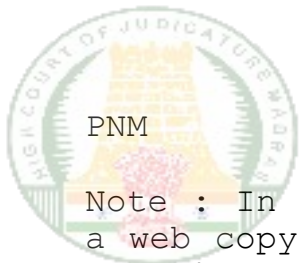
8.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
22/12/2021

/ TRUE COPY /

/ /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,
VADIPATTY, MADURAI DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
VADIPATTI POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER INCHARGE
DISTRICT MINERAL FOUNDATION TRUST,
MADURAI.

COMMON ORDER
IN
CRL OP(MD) Nos.20577 &
20573 of 2021
Date : 22/12/2021

VB/CN/SAR-I/28.12.2021/3P/6C