



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/12/2021

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PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.21040 of 2021

Kaliyamoorthy,

... Petitioner/Accused No.3

Vs

State rep by,
The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
Cr.No.1040 of 2020.

... Respondent/Complainant

For Petitioner : MR.S.Sathya Chidambaram,Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.1040 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC and r/w 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.1040 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the accused person had illegally transported 2 units of river sand without any valid permission. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person, that he is not having any previous case at his credit.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is having one previous case at his credit.



5.Considering the facts and circumstances of this case and his willingness to pay a sum of Rs.35,000/- to any organization, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6.Accordingly, the petitioner shall pay a sum of Rs.35,000/- (Rupees Thirty Five Thousand only) to the credit of the Head Master, Government Higher Secondary School, Y.Othakadai, Ulaganeri, Madurai (Account No.10968750674, State Bank of India, Tallakulam Branch, CIF No.80780349513), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the Judicial Magistrate, Pabanassam, Thanjavur District.

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, Pabanassam, Thanjavur District, 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/-
29/12/2021

/ TRUE COPY /

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

TTA

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,
PABANASSAM, THANJAVUR.



- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
AMMAPET POLICE STATION, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE HEAD MASTER,
GOVERNMENT HIGHER SECONDARY SCHOOL,
Y.OTHAKADAI, ULAGANERI,
MADURAI.

ORDER
IN
CRL OP(MD) No.21040 of 2021
Date :29/12/2021

PKP/VR/SAR-1/03.01.2022/3P/6C