



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/12/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI
CRL OP(MD). No.21064 of 2021

WEB COPY

Muthu

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Vilathikulam Police Station,
Thoothukudi District.
Cr.No. 347 of 2021.

... Respondent/Complainant

For Petitioner : M/s.PALANISAMY.T, 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.347 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC and r/w 21(1) of Mines and Minerals (Development & Regulations) Act 1957, in Crime No.347 of 2021, seeks anticipatory bail.

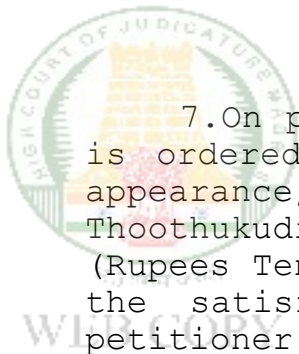
2.The case of the prosecution is that the petitioner along with other accused person have illegally transported 1/4 unit of river sand without any valid permission. Hence, the complaint.

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 one previous case is pending against the petitioner.

5.Considering the facts and circumstances of this case and his willingness to pay a sum of Rs.15,000/- to the Chief Minister's Relief Fund, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner shall pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 1000 00070, IFSC Code:IOBA0001172), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the Judicial Magistrate, Vilathikulam, Thoothukudi.



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, Vilathikulam, Thoothukudi, 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.

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

COPY TO:

THE OFFICER INCHARGE
GOVERNMENT OF TAMIL NADU,
CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT, CHENNAI-9.

ORDER IN

CRL OP(MD) No.21064 of 2021

Date : 29/12/2021

SA/JM/SAR.4/03.01.2022/2P/6C