



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.21101 of 2021

1. Prakash @ Udayaprakash  
2. Thamaraiselvan

... Petitioners/Accused No.1&2

Vs

State Rep.by  
The Inspector of Police,  
Madukkur Police Station,  
Thanjavur District.  
(Crime No.721/2021).

... Respondent/Complainant

For Petitioners : Mr.Uthayakumar A,  
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.721/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 r/w 379, 341, 353 & 506(i) of IPC, in Crime No.721 of 2021, seeks anticipatory bail.

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

3.The learned counsel for the petitioners would submit that the petitioners are innocent person, that they are not having any previous case at their credit.

<https://hcservices.court.gov.in/hcservices>  
4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the first petitioner is having one previous case.



5.Considering the facts and circumstances of this case and their willingness to pay a sum of Rs.15,000/- jointly to the Chief Minister's Relief Fund, 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) jointly 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 their rights and contentions before the trial Court and produce the receipt/acknowledgment before the Judicial Magistrate No.1, Pattukottai, Thanjavur 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 No.1, Pattukottai, Thanjavur 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/-  
29/12/2021

/ TRUE COPY /

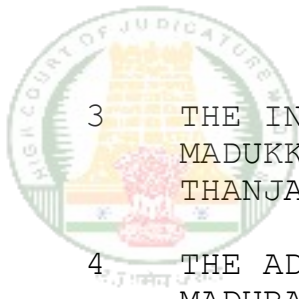
/ /2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

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 NO.I,  
PATTUKOTTAI, THANJAVUR DISTRICT.

2 DO NOT REPLY TO THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.



3 THE INSPECTOR OF POLICE  
MADUKKUR POLICE STATION,  
THANJAVUR DISTRICT.

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

COPY TO

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

ORDER  
IN  
CRL OP (MD) No.21101 of 2021  
Date :29/12/2021

**RS/CN/SAR.4 (03.01.2022) 3P-6C**