



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8056 of 2022

VIJAYAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
TIRUVANNAMALAI TALUK POLICE STATION,
TIRUVANNAMALAI DISTRICT.
(CRIME NO.148/2022)

For Petitioner : M/S.E.SATHIYARAJ Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

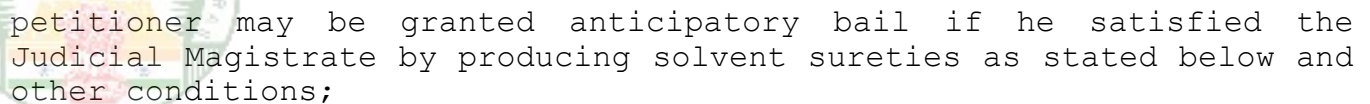
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 430 and 379 of IPC r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.148 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner is owner of the Bolero vehicle bearing registration No.TN-25-BK-9172 in which one unit of sand has been illegally transported. The petitioner when earlier moved anticipatory bail application, this Court dismissed it on 07.03.2022.

3. Taking note of the quantum of the sand and the manner in which it was mined and transported earlier the anticipatory bail was dismissed. But even after lapse of 30 days the respondent police has not secured the petitioner. For the purpose of securing the petitioner and to conduct investigation, this Court grant anticipatory bail to the petitioner on conditions that the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) in the District Collector's Fund and on such deposit and production of receipt before the learned concerned Magistrate, the



(a) the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) before the concerned District Collector's Fund as non-refundable deposit. After receipt of the above said amount, the same has to be deposited by the concerned District Collector to the credit of the District Mines and Minerals Foundation Trust as non-refundable deposit;

(c) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-

06/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE-II,
TIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
TIRUVANNAMALAI TALUK POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE DISTRICT COLLECTOR
TIRUVANNAMALAI DISTRICT.

+1CC to M/S.E.SATHIYARAJ Advocate on payment of necessary charges SR.No.5289

CRL OP.8056/2022

Date :06/04/2022

CSK 13/04/2022