



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/01/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.203 of 2022

V.Prakash

... Petitioners/Accused-1

Vs

State Rep.by
The Inspector of Police,
Kallimandayam Police Station,
Kallimandayam,
Dindigul District.
Cr.No.520 of 2021.

... Respondent/Complainant

For Petitioner : Mr.S.R.Sureshkumar,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.520 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC, and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.520 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused had illegally transported three units of red soil without any valid permit. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and has not committed any such offence. Hence, prays to release him on bail.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is not having any previous case at his credit and the investigation is not yet completed.

5.Considering the facts and circumstances of this case and that the petitioner is not having any previous case at his credit, 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 the District Mineral Foundation Trust, Dindigul District, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate, Oddanchatram.

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, Oddanchatram 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/-
06/01/2022

/ 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,
Oddanchatram.
- 2.Do Through The Chief Judicial Magistrate,
Dindigul District.
- 3.The Inspector of Police,
Kallimandayam Police Station,
Kallimandayam, Dindigul District.
- 4.The Officer Incharge,
District Mineral Foundation Trust,
Dindigul District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.203 of 2022
Date :06/01/2022

RS/PN/SAR.2(10.01.2022) 3P-6C