



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

Date : 07/01/2022

PRESENT

The Hon'ble Mrs. Justice R. THARANI

CRL OP(MD). No.268 of 2022

SANKAR

... PETITIONER/SOLE ACCUSED

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
NAGUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.
(CRIME NO.390/2021).

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.M.Suresh, Advocate.

For Respondent : Mr.R.M.S.Sethurman,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.390 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) & 21(2) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.390 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused had illegally transported ¼ unit of river sand without any valid permit. Hence, the complaint.

3.On the side of the petitioner it is stated that the petitioner is innocent and he is not involved in any offence and he was not at all present in the scene of occurrence. Hence, prays to release him on bail.



4. On the side of the respondent it is stated that the petitioner was involved in illegally transporting river sand. But it is fairly admitted that there is no previous case against the petitioner.

5. In view of the submissions made by both parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the District Mineral Foundation Trust, Pudukkottai District, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate, Aranthangi.

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, Aranthangi 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/-
07/01/2022

/ 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

<https://hcservices.ecourts.gov.in/hcservices/>
1. THE JUDICIAL MAGISTRATE,
ARANTHANGI.



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3. THE INSPECTOR OF POLICE,
NAGUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

COPY TO :

THE OFFICER-INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
PUDUKKOTTAI DISTRICT.

ORDER
IN
CRL OP (MD) No.268 of 2022
Date :07/01/2022

USK/JM/SAR-I/12.01.2022/3P/6C