



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/01/2022

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PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD) . No.124 of 2022

1. Arunkumar

2. Ponmani

... Petitioners/Accused
Rank Not Known

Vs

State rep.by
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District
(Crime No.987 of 2020).

... Respondent/Complainant

For Petitioners : M/s.Anantha Murugan.S.M., Advocate.

For Respondent : M/s.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

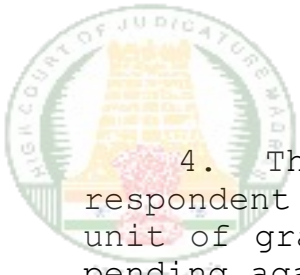
For Anticipatory Bail in Crime No.987 of 2020 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C and Section 21(4) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.987 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported $\frac{3}{4}$ Unit of gravel sand by using bullock cart. Therefore, the present case came to be registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. A1 and A2 in this case were already granted bail.



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has transported $\frac{3}{4}$ unit of gravel. He further submitted that there is no previous case pending against the petitioners herein.

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5. Considering the nature of the mineral involved and the antecedents of the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with stringent conditions.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.3,000/- (Rupees Three Thousand only) to the credit of Cr.No.987 of 2020 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District, on condition that the petitioners shall execute 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 petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders.

Sd/-

06/01/2022

/ TRUE COPY /

/ /2022

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

LS

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.II,
SIVAKASI, VIRUDHUNAGAR DISTRICT.

2. -DO- THROUGH

<https://hcservices.ecourts.gov.in/hcservices/>

THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.



3. THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S. ANANTHA MURUGAN.S.M. Advocate SR.No.117

ORDER
IN
CRL OP (MD) No.124 of 2022
Date :06/01/2022

SP/VR/SAR III/24/01/2022/3P/6C