



WEB COPY

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.280 of 2022

1. Nirmala
2. Dhanalakshmi

... Petitioners/Accused
Nos.1 & 2

Vs

State rep.by
The Inspector of Police,
Vangal Police Station,
Karur District.
(Crime No.667 of 2021).

... Respondent/Complainant

For Petitioners: M/s.Gokulraj S, Advocate.

For Respondent : M/s.R.M.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.667 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners 1 & 2 apprehending arrest at the hands of the respondent police for the offences punishable under sections 21(1) of Mines and Minerals (Regulation and Development) Act, 1957 r/w 379 of I.P.C., in Crime No.667 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The offence against the petitioners is sand theft. A case in Crime No.667 of 2021 was registered against the petitioners.

3.On the side of the petitioners it is stated that the allegation against the petitioners is transport of ¼ unit of river sand in a Bullock Cart. The petitioners are not connected with the case. The petitioners are having no previous case and prayed the petitioners to be released on anticipatory bail.



4. On the side of the respondent, it is stated that the Bullock Cart was seized with $\frac{1}{4}$ unit of river sand and the petitioners are A1 and A2 in the case. But it is fairly admitted that the petitioners are not having any previous case.

5. In view of the submissions made by both sides, this Court is inclined to grant anticipatory bail to the petitioners on stringent conditions.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Cr.No.667 of 2021 before the trial Court concerned, without prejudice to their 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, Karur, 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 petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 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.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

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,
KARUR.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3. THE INSPECTOR OF POLICE,
VANGAL POLICE STATION,
KARUR DISTRICT.

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

+1. CC to M/S.GOKULRAJ S Advocate SR.No.142

ORDER

IN

CRL OP(MD) No.280 of 2022

Date :07/01/2022

SP/JM/SAR I/11/01/2022/3P/6C