



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.329 of 2022

Kala

... Petitioner/Sole Accused

Vs

The State rep.by
The Sub-Inspector of Police,
Thiruppuvanam,
Sivagangai District.
Cr.No.482/2021.
U/s 379 IPC And
21(1) Mines & Minerals
(DEVELOPMENT & REGULATION) Act 1957

... Respondent/Complainant

For Petitioner : Mr.J.GUNASEELANMUTHIAH, Advocate.

For Respondent : Mr.RMS.SETHURMAN, Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No. 482 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.482 of 2021, seeks anticipatory bail.

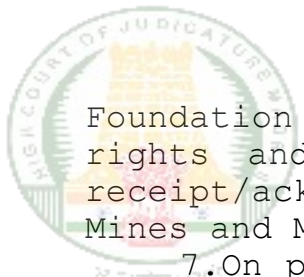
2.The case of the prosecution is that the accused had illegally transported one unit of river sand without any valid permit. Hence, the complaint.

3.On the side of the petitioner, it is stated that the petitioner is the owner of the vehicle and that the petitioner is not connected with the offence and that the petitioner is not having any previous case. Hence, prays to release her on bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is A1 in this case and owner of the vehicle, tipper lorry. The driver of the vehicle is A2, he remains absconding. It is fairly admitted that the petitioner is not having any previous case.

5.Considering the submissions made by both sides, 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, Sivagangai District, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Special District Judge, Mines and Minerals related cases, Sivagangai.

7. On production of such receipt/acknowledgment, the petitioner is ordered to be released on bail in the event of arrest or her appearance, before the learned Special District Judge, Mines and Minerals related cases, Sivagangai 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 Judge 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 Judge 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

- 1 THE SPECIAL DISTRICT JUDGE,
MINES AND MINERAL RELATED CASES, SIVAGANGAI.
- 2 THE OFFICER INCHARGE
DISTRICT MINERAL FOUNDATION TRUST, SIVAGANGAI DISTRICT.
- 3 THE SUB-INSPECTOR OF POLICE,
THIRUPPUVANAM, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.GUNASEELANMUTHIAH.J Advocate SR.No.1130 **(F)**

ORDER IN

CRL OP(MD) No.329 of 2022

Date : 07/01/2022

SA/PN/SAR.4/12.01.2022/2P/6C

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