



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10/01/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.438 of 2022

1. Raja

2. Kittusamy

... Petitioners/Accused No.1 & 2

Vs

The state represented by
The Inspector of Police,
Thennilai Police Station,
Karur District.
Cr.No. 3/2022.

... Respondent/Complainant

For Petitioners: Mr.K.Sathiesh Kumar,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.3 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 379 IPC r/w 21(1) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.3 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the accused persons had illegally transported 1 unit of Magnesite (white stone) without any valid permit in the vehicle. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents, that they are not having any previous case at their credit.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners are not having any previous case at their credit and the investigation is not yet completed.



5.Considering the facts and circumstances of this case, that the petitioners are not having any previous case at their credit, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) each to the credit of the District Mineral Foundation Trust, Karur, without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur District.

7.On production of such receipt/acknowledgment, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur District and on their executing 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 am for a period of one month and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioners 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/-

10/01/2022

/ 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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ARAVAKURICHI, KARUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.



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

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

COPY TO:

THE OFFICER INCHARGE,
THE DISTRICT MINERAL FOUNDATION TRUST, KARUR.

+1. CC to M/S.SATHIESH KUMAR.K Advocate SR.No.200

ORDER
IN
CRL OP(MD) No.438 of 2022
Date :10/01/2022

SS/VR/SAR-II/25.01.2022 : 3P/7C