



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/01/2022
PRESENT

The Hon`ble Mrs.Justice R.THARANI
CRL OP(MD). No.982 of 2022

WEB COPY

1. Priya

2. Karthika

... Petitioner/Accused
Rank not known

Vs

The state represented by
The Inspector of Police,
Pandanallur Police Station,
Thanjavur District
(Crime No. 939 of 2021).

... Respondent/Complainant

For Petitioners : M/s.George Paul Anto.L,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

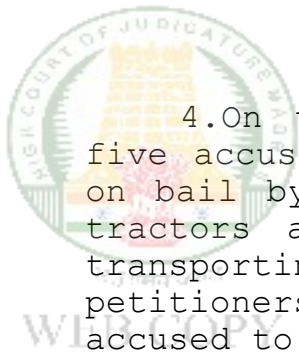
For Anticipatory Bail in Crime No. 939 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections, 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, in Crime No.939 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The allegation against the petitioner is that on 18.11.2021, the petitioners were found transporting ½ unit of river sand in the Tractor and Trailer.

3.On the side of the petitioner it is stated that both the petitioners are female members. Only due to the relationship with the other accused they are implicated in the case. They are no way connected with the case. The first petitioner is the wife of the first accused. The second petitioner is the wife of third accused. They were not available in the occurrence place and prayed the petitioners to be granted anticipatory bail.



4. On the side of the prosecution, it is stated that totally five accused involved in this case. A1 to A3 were already released on bail by the trial Court. The petitioners are A4 and A5. Three tractors and trailers were seized by the respondent police for transporting 1 ½ unit of river sand. It is fairly admitted that the petitioners have no previous case and they only instigated the other accused to commit an offence.

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.20,000/- (Rupees Twenty Thousand only) to the credit of Cr.No.939 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 District Munsif cum Judicial Magistrate, Thiruvidaimaruthur, Thanjavur 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 petitioners shall appear before the concerned Court daily at 10.30 a.m. for a period of one month. 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/-

21/01/2022

/ 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,
THIRUVIDAIMARUTHUR,
THANJAVUR DISTRICT.

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



2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
PANDANALLUR POLICE STATION, THANJAVUR DISTRICT

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

+1. CC to M/S. GEORGE PAUL ANTO.L. Advocate SR.No.398

ORDER
IN
CRL OP(MD) No.982 of 2022
Date :21/01/2022

SS/PN/SAR-III/27.01.2022 : 3P/6C