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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/01/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.1163 of 2022

Perumal ... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
(Crime No.147 of 2021). ... Respondent/Complainant

For Petitioner : M/s.Jeyakarthik M.S., Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.147 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 I.P.C. and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.147 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against the petitioner is he transported two bags of river sand in a bike without any permit and the petitioner filed this petition for anticipatory bail.

3.On the side of the petitioner, it is stated that the allegation is that only two bags of sand was transported. There is no previous case against the petitioner and prayed the petitioner to be released on anticipatory bail.



4. On the side of the respondent it is admitted that the petitioner is having no previous case.

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

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6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Paramakudi, on condition that the petitioner shall execute 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of thirty days. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-
24/01/2022

/ 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, PARAMAKUDI.
2. DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
EMANESWARAY POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

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+1. CC to M/S.JEYAKARTHIK M.S. Advocate SR.No.400

ORDER

IN

CRL OP (MD) No.1163 of 2022

Date :24/01/2022

SP/VR/SAR I/31/01/2022/3P/6C