



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 31/01/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1514 of 2022

1. Ilavasaran
2. Manonmani

... Petitioners/Accused No.1 & 2

Vs

The State rep.by
The Inspector of Police,
Thiruppulani Police Station,
Ramanathapuram District.
(Crime No.8 of 2022).

... Respondent/Complainant

For Petitioners : Mr.C.SENTHIL MURUGAN,
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.8 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 and 21(1) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.08 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the accused persons had illegally transported ½ unit of river sand without any valid permit in the vehicle. Hence, the complaint.

3.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the second petitioner is having one previous case of similar nature and the first petitioner is not having any previous case and that the investigation is not yet completed.

4.The learned counsel for the petitioners would submit that the second petitioner is the owner of the vehicle and that the petitioners are innocent and not committed any offence as alleged by the prosecution.



5.Considering the facts and circumstances of this case, that the first petitioner is not having previous case at his credit, this Court is inclined to grant anticipatory bail to the first petitioner alone with certain conditions.

6.Accordingly, the first petitioner shall pay a sum of Rs.7,500/- (Rupees Seven Thousand Five Hundred only) to the credit of the District Mineral Foundation Trust, Ramanathapuram, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the Judicial Magistrate No.I, Ramanathapuram.

7.On production of such receipt/acknowledgment, the first petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.I, Ramanathapuram 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 Magistrate concerned and the first 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 first petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.The first petitioner 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.

9.Considering the bad antecedents of the second petitioner, this Court is not inclined to grant anticipatory bail to her, even though she is a lady. Accordingly, this Criminal Original Petition is dismissed, with respect to second petitioner.

sd/-

31/01/2022

/ 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 JUDICIAL MAGISTRATE NO.I
RAMANTHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANTHAPURAM DISTRICT.

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



3 THE INSPECTOR OF POLICE,
THIRUPPULANI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

COPY TO:

THE OFFICER INCHARGE
DISTRICT MINERAL FOUNDATION TRUST,
RAMANATHAPURAM DISTRICT.

ORDER

IN

CRL OP(MD) No.1514 of 2022

Date : 31/01/2022

SA/PN/SAR.3/03.02.2022/3P/6C