



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 16/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.1775 of 2022

Periyasamy

... Petitioner/Accused(Rank Not Known)

Vs

The State rep. by
The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
(Crime No.182/2021).

... Respondent/Complainant

For Petitioner : Mr.C.Senthil Murgan,
Advocate.

For Respondent : Mr.SS.Madhavan
Government Advocate (Crl. Side)

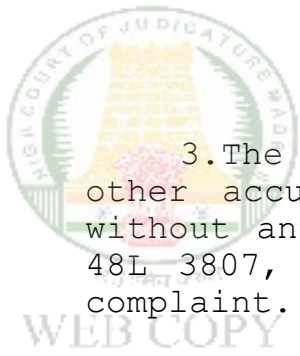
PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.182 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

This Court by order dated 10.12.2021 has dismissed the anticipatory bail petition filed by the petitioner in Crl.O.P(MD). No.18964 of 2021 on the ground that the petitioner is having three previous cases in similar nature. Subsequent to that application the petitioner has filed another anticipatory bail petition. When the anticipatory bail petition was taken up for hearing on 14.02.2022 the learned Government Advocate (Crl. Side) appearing for the respondent would submit that during the pendency of the anticipatory bail petition, the petitioner was arrested and remanded to judicial custody. In view of the said submission this Court directed the Registry to convert the anticipatory bail petition as bail application.

2. The petitioner was arrested at the hands of the respondent police for the offences punishable under Section 379 IPC r/w. 21(4) of Mines and Minerals (Development and Regulations) Act, 1957, in
<https://hcservices.nic.gov.in/hcservices> 2021, seeks bail.



3.The case of the prosecution is that the petitioner along with other accused has illegally transported 15 units of gravel sand without any valid permit in the vehicles bearing Nos.TN16 1393, TN 48L 3807, TN 34A 4195, TN 57 AY 4398, TN 11K 6523. Hence, the complaint.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

5.The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the investigation of the case is pending.

6.Considering the facts and circumstances of the case and also considering the fact that co-accused have already been granted anticipatory bail, this Court is inclined to grant bail to the petitioner with stringent conditions.

7.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of Special Court for Mines and Mineral Cases, Madurai and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
16/02/2022

/ TRUE COPY /

16/02/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDGE,
SPECIAL COURT FOR MINES AND MINERALS CASES,
MADURAI.
- 2 THE INSPECTOR OF POLICE
USILAMPATTI TALUK POLICE STATION, MADURAI DISTRICT
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1775 of 2022
Date :16/02/2022

trp
MK/VR/SAR.II/16.02.2022/2P/5C