



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 04.02.2022

PRESENT

WEB COPY

THE HONOURABLE MRS. JUSTICE R. THARANI

Cr1.O.P. (MD)No.1985 of 2022

Karuppasamy Pandian

... Petitioner/Accused No.1

Vs.

State rep.by

Sub Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District
(in Crime No.497 of 2021).

... Respondent/Complainant

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

For Respondent : M/.R.M.Ambunithi
Additional Public Prosecutor

s PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C.,

PRAYER

For Anticipatory bail Crime No.497 of 2021, on the file of the respondent police.

ORDER: The Court made the following order:-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC r/w Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.497 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported 1 unit of sand. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is impleaded in the case only because the petitioner is the owner of the vehicle. The petitioner is an innocent person and he has been falsely implicated in this case and prayed to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is having two previous cases of similar nature. The co-accused A2 was already released on bail and A3 obtained anticipatory bail from this Court vide order dated 05.01.2022, in Crl.O.P(MD)No.69 of 2022 and he objected to grant anticipatory bail to the petitioner.

5. Considering the fact that the co-accused were already released on bail and also considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioner.

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, Kadaladi** 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. until further orders. 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/-
04/02/2022

**(*)Amended as per order of this
Hon'ble Court dated 01/03/2022
in Crl.MP(MD)No.2883/2022 in
Crl OP(MD)No.1985/2022 by KMSJ**

**Time is extended by two
weeks from the date of
receipt of copy of this
order .**

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

am

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

TO BE SUBSTITUED WITH THE ORDER DATED 04/02/2022 ALREADY DESPATCHED

1. (*) THE JUDICIAL MAGISTRATE
KADALADI

2. THE JUDICIAL MAGISTRATE,
SAYALKUDI.

3. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

4. THE SUB INSPECTOR OF POLICE,
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER

IN

CRL OP (MD) No.1985 of 2022

Date : 04/02/2022

SP/JM/SAR I/10/02/2022/3P/5C

das

PKP/VR/SAR-2/09.03.2022/3P/6C