



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 03/02/2022  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice G.ILANGO VAN**  
**CRL OP(MD) . No.2119 of 2022**

S. Arivazhagan

... Petitioner/Sole Accused

Vs

The state represented by  
The Inspector of Police,  
Budalur Police Station,  
Thanjavur District.  
Cr.No.25/2022.

... Respondent/Complainant

For Petitioner : M/s.Sivasubramanian.A.,  
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.25 of 2022 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  
Section 379 I.P.C and Section 21(1) of Mines and Minerals  
(Development & Regulation) Act, 1957 in Crime No.25 of 2022, on the  
file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner said to  
have illegally transported the one unit of river sand, without any  
permission. Therefore, the present case came to be registered.

3. The learned counsel for the petitioner submitted that the  
petitioner is innocent and he has been falsely implicated in this  
case. However, to show his **bona fide, the petitioner has come  
forward to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only)  
to the credit of Cr.No.25 of 2022** before the trial Court concerned.

4. The learned Government Advocate (Crl. Side) for the  
respondent police submitted that the petitioner said to have  
illegally transported the one unit of river sand, without any  
permission. He further submitted that there is no previous case  
pending against the petitioner herein.



5. Considering the nature of the mineral involved, the antecedents of the petitioner and his willingness to pay a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.25 of 2022 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thiruvaiyaru, 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. Due to COVID-19 pandemic situation, the petitioner shall appear before the respondent police once in a month i.e., on first Monday of every English Calendar Month at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-  
03/02/2022

/ 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,  
THIRUVAIYARU.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.

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



3 THE INSPECTOR OF POLICE  
BUDALUR POLICE STATION, THANJAVUR DISTRICT.

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

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+1. CC to M/S.SIVASUBRAMANIAN.A. Advocate SR.No.827

ORDER

IN

CRL OP(MD) No.2119 of 2022

Date :03/02/2022

SS/SBN/SAR-I/11.02.2022 : 3P/6C