



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date :15/02/2022

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PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.3232 of 2022

K.Suresh

... Petitioner/2nd Accused

Vs

The State rep.by,
The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
(In Crime No.1050 of 2021)

... Respondent/Complainant

For Petitioner : Mr.T.Mahendren,
Advocate.

For Respondent : Mr.K.Sanjay Gandhi
Government Advocate

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

PRAYER :-For Anticipatory Bail in Crime No.1050 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused NO.2 apprehending arrest at the hands of the respondent police for the offences punishable under sections 379 of I.P.C. and r/w 21(4) of Mines and Minerals Act, in Crime No.1050 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The offence is against the petitioner is sand theft. A case in crime NO.1050 of 2021 has been registered against the petitioner.

3.On the side of the petitioner, it is stated that the alleged offences is transportation of one unit of river sand. The petitioner is no way connected with the offences. The petitioner is only the owner of the vehicle and the co-accused was already released on bail prayed the petitioner to be released on anticipatory bail.

4.On the side of the respondent, it is stated that the petitioner is A2 in the case. The petitioner is having three previous cases and out of the three cases, two cases are similar in nature and the petitioner is having the petition to be dismissed.



5.Considering the fact that the co-accused was already released on bail and considering that the police failed to arrest the petitioner sofar, this Court is inclined to grant anticipatory bail to the petitioner.

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6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District, 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 on further condition that the petitioner shall appear before the respondent police daily at 10.30 am., until further orders. The petitioner shall comply with the conditions 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 shall stand dismissed.

sd/-

15/02/2022

/ 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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PAPANASAM, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
AMMAPETTAI POLICE STATION, THANJAVUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.3232 of 2022

Date :15/02/2022

Ls

MK/VR/SAR.I/16.02.2022/2P/5C

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