



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 05/07/2022

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

WEB COPY

CRL OP(MD) . No.7712 of 2022

Maharajan

... Petitioner/Rank Not Known

**Vs**

The State rep.by  
The Insepctor of Police,  
Silaiman Police Station,  
Ramanathapuram District.  
Crime.No.69/2022.

... Respondent/Complainant

For Petitioner : M/s.BALAMURUGAPANDI.D.,  
Advocate.

For Respondent : Mr.P.KOTTAI CHAMY,  
Government Advocate (Crl.Side)

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

**PRAYER :-** For Anticipatory Bail in Crime No.69 of 2022 on the file of the Respondent police.

**ORDER :** The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379 IPC and Section 21(4) Mines and Minerals (Development & Regulation) Act, in Crime No.69 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has taken sand from the Vaigai River without any valid license. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent persons and he has been falsely implicated in this case. He would further submit that the petitioner is the owner of the vehicle and he has valid licence for removing the wastages in the Vaigai River, but, without the knowledge of the petitioner, the driver has involved the said vehicle in the said occurrence.

4.The learned Government Advocate(Crl.Side) appearing for the respondent police submitted that no previous case is pending against this petitioner and co-accused were granted bail by the Sub-Court, Madurai.

5.Considering the facts and the circumstances of this case and the nature of allegation levelled against the petitioner and the



grant bail to the co-accused, this Court is inclined at anticipatory bail to the petitioner, however, with stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.II, Madurai, 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 petitioner shall appear before the respondent police on every Saturday 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 fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

05/07/2022

/ TRUE COPY /

/07/2022

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.II, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSEPCTOR OF POLICE,  
SILAIMAN POLICE STATION,  
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.BALAMURUGAPANDI.D. Advocate SR.No.6619

**ORDER IN**

CRL OP(MD) No.7712 of 2022

Date : 05/07/2022

SA/VR/SAR.2/19.07.2022/2P/6C