



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/06/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI
CRL OP(MD). No.9700 of 2022

WEB COPY

Anthony

... Petitioner/Accused Rank Not Known

Vs.

State Rep.by
The Inspector of Police,
Seithur Police Station,
Virudhunagar District.
in Crime No.38 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Balaji A, Advocate.
For Respondent : M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.38 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.38 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the accused had illegally transported $\frac{1}{2}$ unit of river sand without any valid permit. Hence, the complaint.

3.On the side of the petitioner, it is stated that the petitioner is not connected with the offence and that the petitioner is not having any previous case. Hence, prays to release him on anticipatory bail.

4.The learned Government Counsel (Crl. Side) appearing for the respondent would submit that petitioner is not having any previous case.

5.Considering the submissions made by both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner shall pay a sum of Rs.7,500/- (Rupees Seven Thousand and Five Hundred only) to the credit of the District Mineral Foundation Trust, Virudhunagar District, without prejudice to his rights and contentions before the trial Court and



produce the receipt/acknowledgment before the learned Judicial Magistrate, Rajapalayam.

7. On production of such receipt/acknowledgment, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Rajapalayam 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/Judge concerned and 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.

8. The petitioner shall appear before the concerned Magistrate/Judge 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/-

01/06/2022

/ 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, RAJAPALAYAM.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE OFFICER INCHARGE, DISTRICT MINERAL FOUNDATION TRUST,
VIRUDHUNAGAR DISTRICT.
- 4 THE INSPECTOR OF POLICE, SEITHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.9700 of 2022

Date : 01/06/2022

RS/PN/SAR.4 (02.06.2022) 2P-6C

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