



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.9671 of 2022

Saravanakumar

... Petitioner/Accused No.5

Vs.

The State rep.by,
The Inspector of Police,
Palamedu Police Station,
Madurai District.
Crime No.72 of 2022.

... Respondent/Complainant

For Petitioner : Mr.V.S.Kishok Kumar,
Advocate.

For Respondent : M.Muthumanikkam,
Government Advocate (Crl. Side)

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

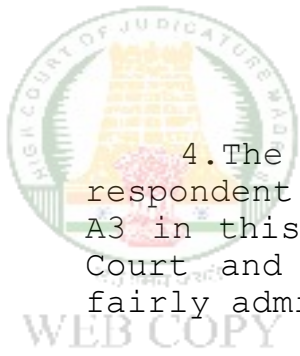
PRAYER :-For Anticipatory bail in Crime No.72 of 2022 on the file of the Respondent Police

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.72 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the accused had illegally transported three units of red 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. He also submit that the petitioner is A5 in this case, A1 to A3 in this case were arrested and released on bail by the Sessions Court and A4 was granted anticipatory bail Hence, prays to release him on bail.



4.The learned Government Counsel (Crl. Side) appearing for the respondent would submit that the petitioner is A5 in this case A1 to A3 in this case were arrested and released on bail by the Sessions Court and A4 was granted anticipatory bail by this Court. It is fairly admitted that the 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.15,000/- (Rupees Fifteen Thousand only) to the credit of the District Mineral Foundation Trust, Madurai District, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate, Vadipatti.

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

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
PALAMDU POLICE STATION, MADURAI DISTRICT.

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

COPY TO:
THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
MADURAI DISTRICT.

+1 CC to MR.V.S.KISHOK KUMAR, Advocate (SR-5148[I] dated 02/06/2022)

ORDER
IN
CRL OP(MD) No.9671 of 2022
Date :01/06/2022

TM
MK/JM/SAR.IV/02.06.2022/3P/7C