



WEB COPY

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.9764 of 2022

Murugan

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Saptur Police Station,
Madurai District.
(Crime No.80/2022).

... Respondent/Complainant

For Petitioner : Mr.Sivaprakash S, 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.80 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 Sections 4(1)(1A) and 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.80 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the accused had illegally transported half unit of odai 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, he prays to release him on anticipatory bail.



4.The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner had illegally transported half unit of odai sand without any valid permit. 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.7,500/- (Rupees Seven Thousand and Five Hundred 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 District Munsif cum Judicial Magistrate, Peraiyur, Madurai.

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 District Munsif cum Judicial Magistrate, Peraiyur, 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 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.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SM/TM



TO

1. THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
PERAIYUR, MADURAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE OFFICER INCHARGE,
THE DISTRICT MINERAL FOUNDATION TRUST,
MADURAI DISTRICT.
4. THE INSPECTOR OF POLICE,
SAPTUR POLICE STATION,
MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.9764 of 2022

Date :01/06/2022

SP/PN/SAR IV/02/06/2022/3P/6C