



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/06/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.9735 of 2022

Kathamuthu

... Petitioner/Sole Accused

Vs

The State rep.by,
The Sub Inspector of Police,
Vangal Police Station, Karur District
(Crime No.205 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Gokulraj, 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. 205 of 2022 on the file of the respondent Police.

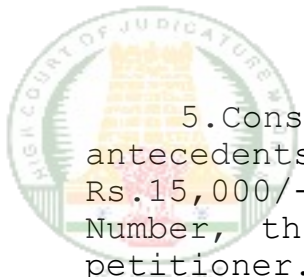
ORDER : The Court made the following order :-

The petitioner/sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of I.P.C r/w Section 21 (1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.205 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is said to have illegally transported $\frac{1}{4}$ unit of river sand, without any valid permission. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. However, to show his *bona fide*, the petitioner has come forward to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.205 of 2022 before the trial Court concerned.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is said to have illegally transported $\frac{1}{4}$ unit of river sand, without any valid permission. He further submitted that two previous cases are pending against the petitioner herein in Crime No.490 of 2010 and 140 of 2012 for the offences involved TNP Act as well as the IPC Act respectively.



5.Considering the nature of the mineral involved, the antecedents of the petitioner and his willingness to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioner.

WEB COPY

6.Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.205 of 2022 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7.On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Karur, Karur District, on condition that the petitioner shall execute 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 daily at 10.30 a.m. 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 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/-

20/06/2022

/ TRUE COPY /

24/06/2022

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
KARUR, KARUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.

3 THE SUB INSPECTOR OF POLICE
VANGAL POLICE STATION, KARUR DISTRICT

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

+1 CC to MR.S.GOKULRAJ, Advocate (SR-5831[I] dated 21/06/2022)

ORDER IN

CRL OP(MD) No.9735 of 2022

Date :20/06/2022