



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/06/2022

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PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.9889 of 2022

Thirusangu

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
(Crime No.171 of 2022).

... Respondent/Complainant

For Petitioner : Mr.S.Sathya Chidambaram
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.171 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC and Section 21(4) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.171 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the accused had illegally transported quarter 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, 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 quarter unit of river sand without any valid permit. It is fairly admitted that the petitioner is not having any previous case.

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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.5,000/- (Rupees Five Thousand only) to the credit of the District Mineral Foundation Trust, Thanjavur District, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned District Judicial Magistrate, Papanasam, Thanjavur District.

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 Judicial Magistrate, Papanasam, Thanjavur District, 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.

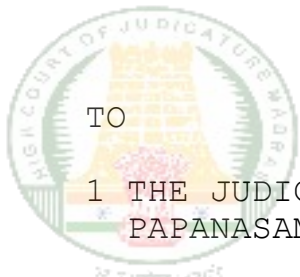
8.The petitioner shall appear before the concerned Judge within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
01/06/2022

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/ /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,
PAPANASAM, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
PAPANASAM POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR.

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

ORDER

IN

CRL OP(MD) No.9889 of 2022

Date :01/06/2022

RS/JM/SAR.4 (02.06.2022) 3P-6C