



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.11003 of 2022

WEB COPY

1. Murugan

2. Ravi

3. Saravana Kumar

... Petitioners/Accused A1 TO A3

Vs

The State rep.by,
The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
(Crime No.201/2020)

... Respondent/Complainant

For Petitioners : M/s.Balaji.S,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

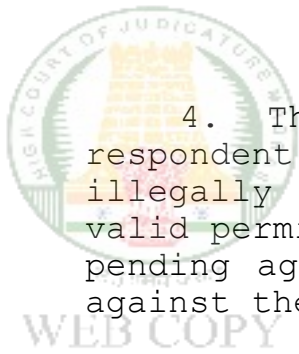
For Anticipatory Bail in Crime No. 201 of 2020 on the file of
the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos. 1 to 3, apprehending arrest at the
hands of the respondent police for the alleged offence punishable
under Section 379 of I.P.C and Section 21(1), 21(5) of Mines and
Minerals (Development & Regulation) Act, in Crime No.201 of 2020, on
the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners said to
have illegally transported one unit of river sand, without any valid
permission. Therefore, the present case came to be registered.

3. The learned counsel for the petitioners submitted that the
petitioners are innocent persons and they have been falsely
implicated in this case. However, to show their **bona fide**, the
**petitioners have come forward to pay a sum of Rs.15,000/- (Rupees
fifteen Thousand only) each, to the credit of Cr.No.201 of 2020**
before the trial Court concerned.



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners said to have illegally transported the one unit of river sand, without any valid permission. He further submitted that three previous cases are pending against the second petitioner and no previous case pending against the petitioners 1 and 3 herein.

5. In view of the antecedents of the second petitioner, this Court is not inclined to grant anticipatory bail to the second petitioner. Accordingly, this petition is dismissed insofar as the second petitioner is concerned.

6. Insofar as the petitioners 1 and 3 are concerned, considering the nature of mineral involved, the antecedent of the petitioners 1 and 3 **and their willingness to pay a sum of Rs.15,000/- (Rupees fifteen Thousand only)** each, to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioners 1 and 3.

7. Accordingly, this Criminal Original Petition is allowed insofar as the petitioners 1 and 3 concerned, on condition that the petitioners 1 and 3 shall deposit a sum of Rs.15,000/- (Rupees ten Thousand only) each, to the credit of Cr.No.201 of 2020 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

8. On such deposit being made, the petitioners 1 and 3 are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Usilampatti, Madurai District, on condition that the petitioners 1 and 3 shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned. Due to COVID-19 pandemic situation, the petitioners 1 and 3 shall appear before the respondent police once in a month i.e., on first Monday of every English Calendar Month at 10.30 a.m., until further orders. The petitioners 1 and 3 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners 1 and 3 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 stands dismissed.

sd/-
21/06/2022

/ TRUE COPY /

/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.

WEB COPY

- TO
1. The Judicial Magistrate No.I,
Usilampatti, Madurai District.
 2. Do through The Chief Judicial Magistrate,
Madurai.
 3. The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District .
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.S.BALAJI, Advocate (SR-5903[I] dated 22/06/2022)

ORDER
IN
CRL OP(MD) No.11003 of 2022
Date :21/06/2022

RK/JM/SAR-III/24.06.2022 : 3P/6C