



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

Date : 27/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN
CRL OP(MD). No.11377 of 2022

WEB COPY

1. Ezhilarasan

2. Jeeva

... Petitioners/Accused No.1 & 2

Vs

The State Rep.by
The Inspector of Police,
Vadakadu Police Station,
Pudukkottai District.
(Cr.No.75/2022).

... Respondent/Complainant

For Petitioners : M/s.Vijayabarathi P,
Advocate.

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

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

PRAYER :-

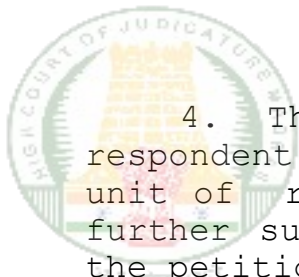
For Anticipatory Bail in Cr.No.75/2022 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 & 2, apprehending arrest at the
hands of the respondent police for the alleged offence punishable
under Sections 379, 511 I.P.C and Section 21(1) of Mines and
Minerals (Development & Regulation) Act, 1957, in Crime No.75 of
2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have
illegally transported $\frac{1}{2}$ unit of river sand by using two wheeler
bearing Regn. No.TN51 AE 2016. Therefore, the present case came to
be registered.

3. The learned counsel for the petitioners submitted that the
petitioners are innocent 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.7,500/- (Rupees Seven Thousand and
Five Hundred only) to the credit of Cr.No.75 of 2022 before the
trial Court concerned.



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners have transported $\frac{1}{2}$ unit of river red sand illegally by using Tractor and Trailer. He further submitted that there is one previous case pending against the petitioners.

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5. Considering the nature of the mineral involved, the antecedents of the petitioners and their willingness to pay a sum of Rs.7,500/- (Rupees Seven Thousand and Five Hundred only) to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.7,500/- (Rupees Seven Thousand and Five Hundred only) to the credit of Cr.No.75 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned District Munsif Cum Judicial Magistrate, Alangudi, Pudukkottai District on condition that the petitioners 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 and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners 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/-
27/06/2022

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/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO:

1.The District Munsif Cum Judicial Magistrate,
Alangudi, Pudukkottai District.

2.-do-Through The Chief Judicial Magistrate,
Pudukkottai District.

<https://hcservices.pudukottai.hc.madras.gov.in/hcservices/>



3. The Inspector of Police,
Vadakadu Police Station,
Pudukkottai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.11377 of 2022

Date :27/06/2022

RD/SKN/SAR-IV (30.06.2022) 3P 5C