



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30.06.2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11716 of 2022

WEB COPY

1.D.Samuthirapandi
2.M.Pongurunathan
3.B.Mahesh Alias Mahesh Kumar ... Petitioners/Accused Nos.6 to 8

Vs

State Rep.by
The Inspector of Police,
Irukkangudi Police Station,
Virudhunagar District.
(Crime No.50 of 2022). ... Respondent/Complainant

For Petitioners : M/s.Michael Bharathi M, 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.50 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.6 to 8, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC and Sections 4(1)(1-A) and 21(1) of the Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.50 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are said to have illegally transported two units of Savudu 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.30,000/- (Rupees Thirty Thousand only) each, to the credit of Cr.No.50 of 2022** before the trial Court concerned.



4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners are said to have illegally transported 2 units of savudu sand, without any valid permission. He further submitted that no previous case is pending against the petitioners herein.

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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.30,000/- (Rupees Thirty Thousand only) each**, 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.30,000/- (Rupees Thirty Thousand only)each, to the credit of Cr.No.50 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 Principal Sessions Judge, Srivilliputhur, 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. The petitioners shall appear before the respondent police once in a month i.e., on first Monday of every English Calender Month 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/-

30/06/2022

/ TRUE COPY /

/07/2022

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.

<https://hcservices.ecourts.gov.in/hcservices/>



TO

1 THE PRINCIPAL SESSIONS JUDGE, SRIVILLIPUTHUR.

2 THE INSPECTOR OF POLICE, IRUKKANGUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.V.SASI KUMAR, Advocate (SR-6414[I] dated 01/07/2022)

ORDER

IN

CRL OP(MD) No.11716 of 2022

Date :30/06/2022

RS/VR/SAR.2 (07.07.2022) 3P-5C