



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12028 of 2022

1. Manikandan,

2. Vairavanathan, ... Petitioners/Accused Nos. 2 & 3

Vs

State Rep.by
The Inspector of Police,
Athiramapattinam Police Station,
Thanjavur District.
Cr.No. 124 of 2021.

... Respondent/Complainant

For Petitioner : MR.A.Arunprasad, 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.124 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.2 and 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 21(1) of Mines and Minerals (Development and Regulations) Act,1957 in Crime No.124 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally transported ½ unit of sand using maxi truck vehicle without valid permit. Hence, the case.

3. On earlier occasion the petitioner was granted anticipatory bail by order dated 13.09.2021 passed in Crl.O.P.(MD).No.13108 of 2021. But the petitioner has not complied with the condition as imposed in the above order. Therefore, he filed Crl.M.P.(MD). No.12028 of 2021, seeking extension of time. But, the same was



dismissed as withdrawn with liberty to file a fresh 1. Accordingly, this petition seeking anticipatory bail has been filed by the petitioners. Therefore, this Court is inclined to grant anticipatory bail to the petitioners on the same conditions.

4. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall pay a sum of Rs.7,500/- (Rupees Seven Thousand and Five Hundred only) to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai - 9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to their rights and contentions before the trial Court and produce the receipt / acknowledgment before the Judicial Magistrate, concerned.

5. On receipt of such acknowledgment, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Pattukottai, 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.

7. 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/-
12/07/2022

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

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,
PATTUKOTTAI.



- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM
- 3 THE INSPECTOR OF POLICE
ATHIRAMAPATTINAM POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER INCHARGE,
THE CHIEF MINISTER PUBLIC RELIEF FUND IN IOB,
GOVERNMENT OF TAMIL NADU
SECRETARIAT BRANCH,
CHENNAI -9.

+1 CC to M/s.A.ARUNPRASAD, Advocate (SR-7083[I] dated 14/07/2022)

ORDER
IN
CRL OP(MD) No.12028 of 2022
Date :12/07/2022

PKP/JM/SAR-3/20.07.2022/3P/7C