



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

Date : 11/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12447 of 2022

1. Maheshwaran @ Madeshwaran,

2. Vijay,

... Petitioners/Accused Nos 1 & 2

Vs

State Rep.by

The Inspector of Police,

Thuraiyur Police Station,

Trichy District.

(Crime No. 205 of 2022).

... Respondent/Complainant

For Petitioners: MR.C.Suresh Kannan, 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. 205 of 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 of I.P.C and Section 21(4) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.205 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 3 units of well sand by using Tipper Lorry bearing Reg No.TN-28-AH-3832. 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.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No. 205 of 2022 before the trial Court



4. The learned Government Advocate (Crl. Side) the respondent police submitted that have illegally transported 3 units of well sand by using Tipper Lorry bearing Reg No.TN-28-AH-3832. 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.15,000/- (Rupees Fifteen Thousand 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.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.205 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 Judicial Magistrate, Thuraiyur, Trichy 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/-

11/07/2022

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/07/2022

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

DSS

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
THURAIYUR TRICHY DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
THURAIYUR POLICE STATION, TRICHY DISTRICT.

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

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-6889[I] dated 11/07/2022

ORDER

IN

CRL OP(MD) No.12447 of 2022

Date :11/07/2022

PKP/JM/SAR-2/18.07.2022/3P/6C