



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 27/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13586 of 2022

WEB COPY

Balamurugan

... Petitioner/Accused-Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Anjugramam Police Station,
Kanyakumari District.
Crime No.191 of 2022.

... Respondent/Complainant

For Petitioner : M/s.C.Susi Kumar, 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.191 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

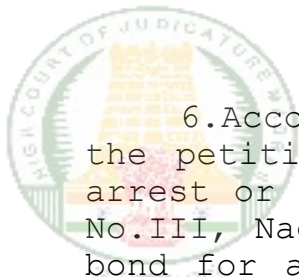
The petitioner / Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C r/w Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.191 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported 1 Unit of M-sand by using TATA 407 Vehicle. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has transported 1 Unit of M-sand illegally by using Tractor. He further submitted that there is no previous case pending against the petitioner herein.

5.Considering the nature of the mineral involved and the antecedents of the petitioner this Court is inclined to grant anticipatory bail to the petitioners.



6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.III, Nagercoil, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-

27/07/2022

/ TRUE COPY /

/08/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE, ANJUGRAMAM POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.13586 of 2022

Date : 27/07/2022

RS/SVR/SAR.3 (03.08.2022) 2P-5C