



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13768 of 2022

Anilkumar

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari District.
Crime.No.192 of 2022.

... Respondent/Complainant

For Petitioner : Mr.SREENIVASAN.M.R, 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. 192 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

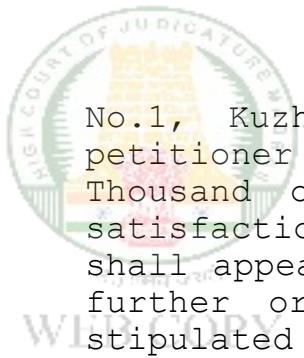
The petitioner is facing charges under Sections 379 and 511 IPC r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, in Crime No.192 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the Village Administrative Officer, Kuzhithurai Town, lodged a complaint stating that on 26.07.2022, he made a spot visit and at that time, he found that this petitioner was engaged in blasting the stone in S.Nos.A10/83-1A, which belongs to him. Finding that he was not having any proper licence for blasting the rock stone, the present case has been registered.

3.The learned counsel for the petitioner would submit that the property belongs to the petitioner and for the purpose of his own use ie., for constructing a compound wall, he blasted the rock stone, for which no permission is required.

4.In the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

5.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 Judicial Magistrate Court



No.1, Kuzhithurai, Kanyakumari District, on condition 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.

6.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 shall stand dismissed.

sd/-

29/07/2022

/ TRUE COPY /

/08/2022

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.

TO

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

+1. CC to M/S. SREENIVASAN.M.R Advocate SR.No.8035

ORDER

IN

CRL OP(MD) No.13768 of 2022
Date :29/07/2022

MM

SA/PN/SAR.2/11.08.2022/2P/C