



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13946 of 2022

WEB COPY

1.Ravi
2.Murugan

... Petitioners/Accused No.1 & 2

Vs

State Rep.by
The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.
Crime.No.369 of 2022.

... Respondent/Complainant

For Petitioners : M/s.Senthilkumar.B, Advocate.
For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 369 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 447, 379 IPC r/w. 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.369 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners illegally taken a sand from the Nanja land belongs to the temple property for constructing a house. 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.1,05,840/- (Rupees One Lakh Five Thousand and Eight Hundred and Forty only) to the credit of Cr.No.369 of 2022 before the trial Court concerned.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners have illegally taken a sand from the temple property for constructing a house.



5. Considering the nature of the mineral involved, the antecedents of the petitioners and their willingness to pay a sum of Rs.1,05,840/- (Rupees One Lakh Five Thousand and Eight Hundred and Forty only) to the credit of Cr.No.369 of 2022, 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.1,05,840/- (Rupees One Lakh Five Thousand and Eight Hundred and Forty only) to the credit of Cr.No.369 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 District Munsif Cum Judicial Magistrate, Thiruvidaimaruthur, 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/-

02/08/2022

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/08/2022

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

TO

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

+1 CC to M/s.B.SENTHIL KUMAR, Advocate (SR-8013[I] dated 02/08/2022)

ORDER IN

CRL OP(MD) No.13946 of 2022
Date :02/08/2022

TRP

RS/VR/SAR.4 (05.08.2022) 2P-6C

<https://www.mhc.tn.gov.in/judis>