



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

Date : 05/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14174 of 2022

1. Balakrishnan,

2. Sivakumaran @ Siva, ... Petitioners/Accused Nos. 1 & 2

Vs

State Rep.by

The Inspector of Police,
Pazhavor Police Station,
Kanniyakumari District

(Crime No. 184 of 2022). ... Respondent/Complainant

For Petitioner : MR.K.P.Narayanakumar, 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. 184 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 379 IPC and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.184 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are said to have illegally transported the sand from the land by using JCB. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent submitted that the vehicle was seized by the respondent police on the ground of being loaded with sand.



5. Considering the nature of offence, the overt act against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Valliyoor, 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/-

05/08/2022

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/08/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE,
VALLIYOOR
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PAZHAVOOR POLICE STATION,
KANNIYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-8221[I]

ORDER

IN

CRL OP(MD) No.14174 of 2022

Date :05/08/2022

PKP/SVR/SAR-2/16.08.2022/2P/6C

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