



WEB COPY



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

Date : 24/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14186 of 2022

Prasath

... Petitioner/1st Accused

Vs

State rep.by
The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Crime No.411 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Joel Paul Antony A, Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

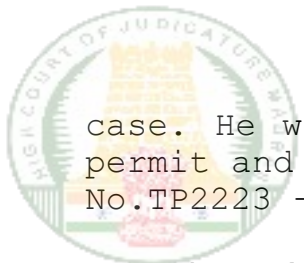
For Anticipatory Bail in Crime No.411 of 2022 on the file of the respondent Police.

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 IPC r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.411 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 20.07.2022, when the defacto complainant was in routine check up the accused persons tried to illegally transport five units of M.Sand by using vehicle bearing Regn.No.TN 19 AW 3184. Hence, the complaint.

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



case. He would further submit that the petitioner is having proper permit and invoice and that has been produced by him through Invoice No.TP2223 - 05764, dated 20.07.2022 .

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that even though the petitioner has produced the invoice of permit holders, he has not produced the trip sheets.

5. Considering the fact that the petitioner has purchased the Msand from the permit holders, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District 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/-
24/08/2022

/ TRUE COPY /

/09/2022

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

TRP

TO

1. THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR DISTRICT.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



3. THE INSPECTOR OF POLICE,
THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to M/S.JOEL PAUL ANTONY A Advocate SR.No.9145

ORDER
IN
CRL OP (MD) No.14186 of 2022
Date :24/08/2022

SP/VR/SAR IV/05/09/2022/3P/6C