



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

Date : 09/02/2022

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.20137 of 2021

Ravi,

... Petitioner/Accused No.2

Vs

The State rep by,
The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
(Crime No. 2122 of 2020).

... Respondent/Complainant

For Petitioner : Mr.S.Balaji, Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.2122 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

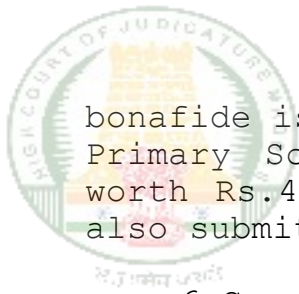
Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2.The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 IPC and Section 21(V) of Tamil Nadu Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.2122 of 2020, seeks anticipatory bail.

3.The case of the prosecution is that on 14.10.2020, the petitioner along with other accused illegally transported one unit of sand. Hence, the complaint.

4. This petitioner moved anticipatory bail earlier, which came to be dismissed by this Court on 09.04.2021 & 11.08.2021 on the ground that five previous cases are pending against him.

5.Now, the learned counsel appearing for the petitioner has come forward with an affidavit that this petitioner to show his



bonafide is willing to do some charity work to the Government Kallar Primary School, Karuthiveeranpatti and he also donated furniture worth Rs.46,000/-,for which, receipt from the above said School is also submitted.

6.Considering the submission made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7.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, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court No.II, Usilampatti, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only)each, with two sureties each for a like sum to the satisfaction of the learned Judge concerned and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before respondent police daily at 10.30 a.m., until further orders.

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

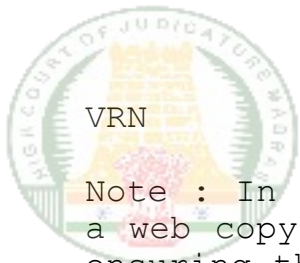
[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

Sd/-
09/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.



VRN

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.II, USILAMPATTI, MADURAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. BALAJI.S Advocate SR.No.919

ORDER
IN
CRL OP(MD) No.20137 of 2021
Date :09/02/2022

PKP/JM/SAR 2/21.02.2022/3P/6C