



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

Date : 31/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20003 of 2021

Meera Hussain ... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Melur Police Station,
Madurai District.
Crime No.541 of 2021.

... Respondent/Complainant

For Petitioner : Mr.R.Rajamohan,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.541 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC and 21(5) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.541 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused had illegally transported 3 units of gravel sand without any valid permit in the vehicle. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner was granted permission between 05.50AM to 09.50PM on 25.08.2021, to transport 9 Cubic Meter of gravel sand in the tipper lorry bearing registration number TN 72 AQ 5325. Because of the break down of vehicle, it was parked at the occurrence place itself. At that time, the respondent police inspected the vehicle and falsely foisted this case against the petitioner.

4.The learned counsel appearing for the respondent would submit that the petitioner is having three previous cases and the investigation is not yet completed.



5. Even the petitioner is having three previous cases, now the fact to be determined is whether the vehicle was parked at the occurrence place, due to break down or any violation of permit. This matter is for investigation and the vehicle has to be subjected for investigation of Motor Vehicle Inspector.

6. With the above said observations and considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Special Judge, Special Court for Mines and Minerals (D&R) Act, Madurai and on his executing 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 Judge concerned and the petitioner shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Judge within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

31/01/2022

/ TRUE COPY /

/ /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 SPECIAL JUDGE,
SPECIAL COURT FOR MINES AND MINERALS (D & R) ACT, MADURAI.

2. THE INSPECTOR OF POLICE,
MELUR POLICE STATION, MADURAI DISTRICT.

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

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-3230[F] dated 31/01/2022)

ORDER IN

CRL OP(MD) No.20003 of 2021

Date : 31/01/2022

PNM

<https://hdcvce14.cemilab.gov.in/CaseServices/2.2022/2P.5C>