



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/03/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.5317 of 2023

J.Dhanalakshmi

... Petitioner/ Rank Not Known

Vs

The State Rep.by
The Inspector of Police,
Vadipatti Police Station,
Madurai District.

(*)Crime No.303 of 2022.

... Respondent/Complainant

For Petitioner : Mr.R.Aravindraj,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in **(*)Crime No.303 of 2022** 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 I.P.C., and section 21(5) of Mines and Minerals (Development and Regulation) Act, 1957 in **(*)Crime No.303 of 2022** on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner said to have illegally transported six units of stone(udaikal), hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4.Considering the facts and circumstances of the case and also considering the fact that there is no previous case pending against the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.



5. Accordingly, the petitioner is ordered to be released in the event of arrest or her appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Magistrate, Vadipatti 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily as and when required for interrogation;

(c) the petitioner shall not tamper with 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]; and;

(f) if the accused/petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

23/03/2023

(*) Amended as Per Order of the Court dated 25/04/2023 in CrI.MP(MD).6656/2023 in CrI.OP(MD).5317/2023 by GKIJ.

Time is extended till 09.05.2023 to the petitioner to comply with the conditions imposed by this Court as last chance.

/ TRUE COPY /

/05/2023

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



TO

TO BE SUBSTITUED WITH THE ORDER DATED 23/03/2023 ALREADY DESPATCHED

1 THE JUDICIAL MAGISTRATE,
VADIPATTI.

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
VADIPATTI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.R.ARAVINDRAJ, Advocate (SR-6535[I] dated 25/04/2023)

ORDER

IN

CRL OP(MD) No.5317 of 2023

Date :23/03/2023

AAV

MK/CG/SAR 2/27.03.2023 3P 6C

RMK

PKP/VS/SAR-3/09.05.2023/ **3P/6C**