



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

Date : 27/04/2023

PRESENT

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

CRL OP(MD) . No.8047 of 2023

Jeyaraman

... Petitioner / Sole Accused

Vs

State rep by
The Inspector of Police,
Chekanurani Policestation,
Madurai District.
(Crime No.487 of 2022.)

... Respondent / Complainant

For Petitioner : Mr.S.Ayyanar Prem Kumar, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.487 of 2022 on the file of the Respondent Police.

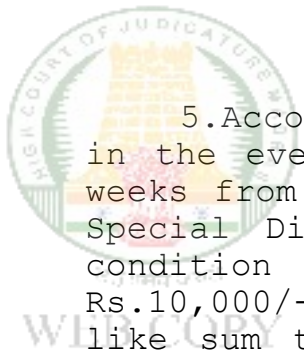
ORDER : The Court made the following order :-

The petitioner/sole 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.487 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 one unit of oddai soil, 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 his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the Special District Judge to deal with MMDR Act Cases, Madurai 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 Special District Judge to deal with MMDR Act Cases, Madurai** 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 Special District Judge to deal with MMDR Act Cases, Madurai** 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 at 10.30 a.m for a period of two weeks and thereafter, 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 Special District Judge to deal with MMDR Act Cases, Madurai** / 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 Special District Judge to deal with MMDR Act Cases, Madurai** / 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/-
27/04/2023

**(*) Amended as Per Order of the Court
dated 18/05/2023 in CrI.MP(MD).7561/2023
in CrI.OP(MD).8047/2023 by TVTSJ.**

/ TRUE COPY /

23/05/2023

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



TO BE SUBSTITUED WITH THE ORDER DATED 27/04/2023 ALREADY DESPATCHED

1.The Special District Judge to deal with MMDR Act Cases,
Madurai.

2.The Inspector of Police,
Chekkanurani Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2 CC to M/s.S.AYYANAR PREM KUMAR, Advocate (SR-6801[I] dated
27/04/2023 & 7762(I) DT:23/05/2023)

ORDER

IN

CRL OP(MD) No.8047 of 2023

Date :27/04/2023

ED/VR/SAR-3 (04/05/2023) 3P 5C

TRP

PKP/BUC/SAR- /23.05.2023/ **3P/6C**