



WEB COPY

CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 17.05.2023

PRESENT

**The Hon`ble Mrs.Justice T.V.THAMILSELVI**

CRL OP(MD)No.8928 of 2023

Veeman

... Petitioner/Sole Accused

Vs

State represented by  
The Inspector of Police,  
Kattuputhur Police Station,  
Trichy District.  
(Crime No.121 of 2023)

... Respondent/Complainant

For Petitioner : Mr.K.Arunraj, Advocate  
For Respondent : Mr.A.Albert James,  
Government Advocate (Crl. Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.121 of 2023 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 IPC r/w Section 21(1) of the Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.121 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner illegally transported  $\frac{1}{4}$  unit of river sand by using bullock cart. Hence, the complaint.

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

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that investigation is pending.



5.Considering the above facts and circumstances of t e, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, 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 learned District Munsif cum Judicial Magistrate, Thottiyam, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate 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 is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non-refundable deposit to the credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, Madurai-625 023 (Indian Bank Saving Account No.496039124, IFSC Code: IDIB000H040) without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties.

[c]the petitioner shall report before the respondent police once in a week i.e., on every Sunday at 10.30 a.m., until further orders.

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

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

[f]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]**.

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

sd/-

17/05/2023

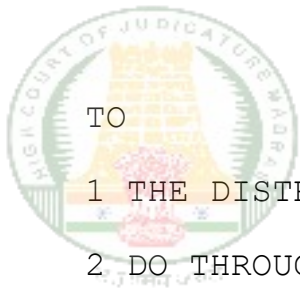
/ TRUE COPY /

/05/2023

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

gns

<https://www.mhc.tn.gov.in/judis>



TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, THOTTIYAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE, KATTUPUTHUR POLICE STATION,  
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER INCHARGE,  
ADVOCATE CLERK'S WELFARE ASSOCIATION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI - 625 023.

+1 CC to M/s.K.ARUNRAJ, Advocate ( SR-7553[I] dated 18/05/2023 )

ORDER

IN

CRL OP(MD) No.8928 of 2023

Date :17/05/2023

RS//SAR-(24.05.2023) 3P 7C