



CRL OP(MD) No.144 of 2024

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

Friday, the Fifth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.144 of 2024

R.JEYABAL

... PETITIONER/ ACCUSED RANK NOT
KNOWN

Vs

THE INSPECTOR OF POLICE
VANGAL POLICE STATION,
KARUR DISTRICT.

(IN CRIME NO.470 OF 2023)

... RESPONDENT/COMPLAINANT

For Petitioner :MR. BALASUBRAMANIAN.N Advocate

For Respondent : MR.SS.MADHAVAN, Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.470 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/ Accused Rank Not Known who apprehends arrest at the hands
of the respondent police for the alleged offence under Sections 379 IPC and Section



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21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Cr.No.470 of 2023, seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner was involved in illegal transportation of 3 units of river sand by using a Tipper Lorry bearing Reg.No.TN-28-K-6874.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. Further, he is ready to abide any condition that may be imposed by this Court and also ready to deposit a sum of Rs.60,000/- (Rupees Sixty Thousand only) to the credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, to show his bona-fide. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that petitioner has illegally transported 3 units of river sand by using a Tipper Lorry bearing Reg.No.TN-28-K-6874. However, he fairly conceded that the petitioner is ready to pay some amount to the Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, this Court may consider to grant anticipatory



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bail to the petitioner.

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5. Considering the facts and circumstances of the case and also considering the fact that the petitioner has come forward to deposit a sum of Rs.60,000/- (Rupees Sixty Thousand only) to the credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, without prejudice to his rights and contentions to show his bona-fide, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he 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 Judicial Magistrate No.II, Karur, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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(b) the petitioner shall make a non refundable deposit of Rs.60,000/- (Rupees Sixty Thousand only) 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 defence before the trial Court and the learned Judicial Magistrate, after perusing the challan/ receipt, shall accept the sureties furnished by the petitioner;

(c) the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure his identity;

(d) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioner shall not abscond either during investigation or trial;

(g) 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;



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

sd/-
05/01/2024

/ TRUE COPY /

/01/2024

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

dss

To

- 1.THE JUDICIAL MAGISTRATE NO.II,
KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.
- 3.THE INSPECTOR OF POLICE,
VANGAL POLICE STATION,
KARUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

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



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+1 CC to M/s.N.BALASUBRAMANIAN, Advocate (SR-338[I] dated 08/01/2024)

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ORDER
IN
CRL OP(MD) No.144 of 2024
Date :05/01/2024

RK/JGB (09/01/2024) 6P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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