



CRL OP(MD) No.2238 of 2024

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

Wednesday, the Fourteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2238 of 2024

RAVICHANDRAN

... PETITIONER /SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CR.NO.18/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.VENKATSH.D Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO. 18/2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who apprehend arrest at the hands of the
respondent police for the alleged offence under Section 379 of IPC and Section 21(1)
of the Mines and Minerals (Development and Regulation) Act, in Crime No.18 of
2024, on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD) No.2238 of 2024

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2.The case of the prosecution is that the petitioner was involved in illegal transportation of one unit of river sand. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. However, on instructions, he further submitted that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.30,000/- to the Government Girls Higher Secondary School, Thiruvadanai, for renovation of toilet and hence, he prays for grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State strongly opposed to grant bail stating that the petitioner was in illegal transportation of one unit of river sand and the petitioner is having one previous case of similar in nature.

5.Considering the facts and circumstances of the case and also considering the amount of sand involved in this case, 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 Judicial Magistrate, Thiruvadanai, 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



CRL OP(MD) No.2238 of 2024

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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;

(b)(i) as per the undertaking given by the petitioner, the petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of the Headmaster, Government Girls Higher Secondary School, Thiruvadanai, for renovation of toilet, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the trial Court while executing the sureties;

(ii) the Headmaster, Government Girls Higher Secondary School, Thiruvadanai, is directed to carryout the renovation work as mentioned above in the said school using the above said deposit amount and report the same with necessary proof along with photographs before the concerned trial Court as well as the Registrar, Madurai Bench of Madras High Court, Madurai, within a period of eight weeks.

(c)the sureties shall affix their photographs and left thumb



CRL OP(MD) No.2238 of 2024

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impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(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;

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

sd/-
14/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD) No.2238 of 2024

SJI

TO

1 THE JUDICIAL MAGISTRATE,
THIRUVADANAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

COPY TO:

THE HEADMASTER,
GOVERNMENT GIRLS HIGHER SECONDARY SCHOOL,
THIRUVADANAI.

+1 CC to M/s.D.VENKATESH, Advocate (SR-1899[I] dated 15/02/2024)

ORDER

IN

CRL OP(MD) No.2238 of 2024

Date :14/02/2024

SA/GS/SAR. /19.02.2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.