



CRL OP(MD). No.6705 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6705 of 2024

Kulanthaivel

... Petitioner/2nd Accused

Vs

The Inspector of Police,
Vangal Police Station,
Karur District.
Cr.No.169/2024.

... Respondent/Complainant

For Petitioner : M/.Lenin Kumar.T,
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

PRAYER :- For Anticipatory Bail in Crime No. 169/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 379 of IPC r/w Section 21(1) of Mines and Minerals



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(Development and Regulation) Act, 1957, in Crime No.169 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused have transported two units of river sand in a Tipper Lorry bearing Registration No.TN-37-AR-3252.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl. side) appearing for the respondent strongly opposes to grant bail on the ground that the investigation is yet to be completed. He further submits that the petitioner is having two previous cases, which are similar in nature and the petitioner is the owner of the vehicle.

5. Considering the facts and circumstances of the case and considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is



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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 concerned learned Judicial Magistrate, on condition that

(i) the petitioner executes a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Karur;

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police daily at 10.30 am for a period of two weeks and thereafter, he shall appear as and when required by the respondent police. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent



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police shall move an application for cancellation of the anticipatory bail.

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7. It is needless to say that any tool or instrument or vehicle used for illegal quarrying / transportation of sand is liable to be seized under Section 21(4) of the Mines and Minerals(Development & Regulation) Act, 1957 and any vehicle or instrument or tool which has been seized under Section 21(4) of the Mines and Minerals (Development & Regulation) Act, 1957, is liable to be confiscated.

sd/-

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

Is

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.



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+1 CC to M/s.T.LENINKUMAR, Advocate (SR-6147[I] dated 05/06/2024)

ORDER

IN

CRL OP(MD) No.6705 of 2024

Date :04/06/2024

RK/VR (11/06/2024) 5P / 6C

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