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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12236 of 2022

1. Selvabalan,

2. Vaigundaraj,

... Petitioners/Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Uvari Police Station,
Cr.No.86/2022,
Tirunelveli District.

... Respondent/Complainant

For Petitioner : M/s.Susi Kumar C, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr.No.86/2022 on the file of the respondent police.

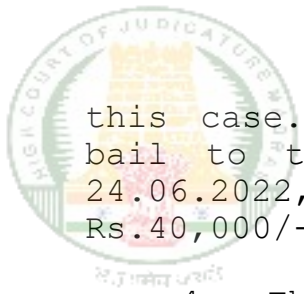
ORDER : The Court made the following order :-

The petitioners/Accused (Rank Not Known), apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 I.P.C and 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.86 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused have illegally transported 8 units of M.sand by using 4 vehicles. Therefore, the present case came to be registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in

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this case. He further submitted that while granting anticipatory bail to the co-accused/A9 in Crl.OP(MD)No.11296 of 2022, dated 24.06.2022, this Court has imposed a condition to pay a sum of Rs.40,000/-.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners along with other accused have illegally transported 8 units of M.sand by using 4 vehicles. No previous case is pending against the petitioners.

5. Considering the nature of the mineral involved and the antecedents of the petitioners, this Court is inclined to grant anticipatory bail to the petitioners. It is also seen that already co-accused has paid a sum of Rs.40,000/- while granting anticipatory bail in Crl.OP(MD)No.11296 of 2022, dated 24.06.2022, no amount has been imposed upon the petitioners herein.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Radhapuram, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
21/07/2022

/ TRUE COPY /

/08/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dss

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1 THE JUDICIAL MAGISTRATE
RADHAPURAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
UVARI POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.12236 of 2022

Date :21/07/2022

PKP/SVR/SAR-1/01.08.2022/3P/5C