



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14101 of 2022

Josph @ Josap

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
Crime No.281 of 2022..

... Respondent/Complainant

For Petitioner : M/s.Sathya Chidambaram.S, 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 Crime No.281 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.281 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused had attempted to transport river sand by using the vehicle. Therefore, the present case came to be registered.

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

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has attempted to transport mineral illegally. He further submitted that the petitioner is having two previous cases, which are not similar in nature.

5. Considering the nature of the mineral involved, the petitioner is having two previous cases, which are not similar in



nature, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Illupur, Pudukottai District, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-

04/08/2022

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/08/2022

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

PNM

TO

1.THE JUDICIAL MAGISTRATE, ILLUPUR, PUDUKOTTAI DISTRICT.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

3.THE INSPECTOR OF POLICE,
VIRALIMALAI POLICE STATION, PUDUKKOTTAI
DISTRICT. CRIME NO.281 OF 2022..

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

ORDER

IN

CRL OP(MD) No.14101 of 2022

Date :04/08/2022

RK/JM/SAR-I (11/08/2022) 2P/5C