



CRL OP(MD). No.12050 of 2023

WEB COPY

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

Date : 13/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12050 of 2023

1.Vanadevi
2.Malaisamy

... Petitioners/ Accused Nos.1 and 2

Vs

The State rep by
The Sub Inspector of Police,
Uthappanaikanur Police Station,
Madurai.
(Crime No.124 of 2023.)

... Respondent / Complainant

For Petitioners : M/s.G.Thalaimutharasu, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.124 of 2023 on the file of the Respondent
Police.



CRL OP(MD). No.12050 of 2023

ORDER: The Court made the following order :-

WEB COPY

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 21(1), 21(5) of MMDR Act 1957 read with 379 of IPC and 3(3) TNPPL Act, in Crime No.124 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 26.06.2023 the accused persons were illegally quarrying sand from the land in survey No.28/5, 28/6 and 28/7B and transported in their vehicles, without valid permit and license. Hence, the complaint.

3. The learned counsel for the petitioners submitted it appears that one Veerathevan was making declaration that he got permission for mining in the patta land. On that account, the petitioners appear to have taken the sand. They are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) would submit that the investigation is underway in which the Veerathevar has also been enquired.

5. In view of the fact the petitioner is not directly involved in the act, this Court is inclined to grant anticipatory bail to the petitioner alone.

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



CRL OP(MD). No.12050 of 2023

WEB COPY

learned Judicial Magistrate No.II, Usilampatti, 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 second 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. The petitioner is directed to co-operate with the enquiry before the respondent, by producing documents, if any, in support of their contention.

sd/-

13/07/2023

/ TRUE COPY /

/07/2023

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

PNN

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.12050 of 2023

To

WEB COPY

1.The Judicial Magistrate No.II,
Usilampatti.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Sub Inspector of Police,
Uthappanaikanur Police Station,
Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-10769[I] dated
14/07/2023)

ORDER

IN

CRL OP(MD) No.12050 of 2023

Date :13/07/2023

ED/MMS/SAR- (19/07/2023) 4P / 6C

Madras High Court is issuing certified copies in this format from 17/07/2023