



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12227 of 2023

Ariharasubramanian

... Petitioner/Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Ilathur Police Station,
Tenkasi District.
(Crime No.49/2023)..

... Respondent/Complainant

For Petitioner : M/s.Saravanakumar P, 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.49/2023 on the file of the Respondent Police.

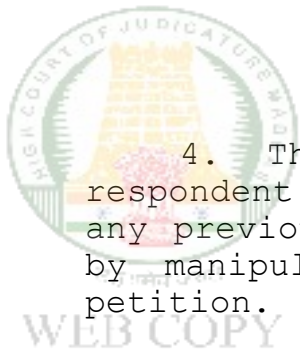
ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.49 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons had transported gravel sand by manipulating the trip sheet. 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. The co-accused has already been enlarged on anticipatory bail. Hence, it is prayed to release him on anticipatory bail.

<https://www.hc.madras.gov.in/>



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that though the petitioner is not having any previous case, the accused persons had transported gravel sand by manipulating the trip sheet. Hence, prays to dismiss the petition.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Considering the facts that the petitioner is not having any previous case and the co-accused has already been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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, Shencottai**, 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.

8. 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/-
06/07/2023

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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

- 1 THE JUDICIAL MAGISTRATE
SHENCOTTAI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



3 THE INSPECTOR OF POLICE
ILATHUR POLICE STATION, TENKASI DISTRICT.

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

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+1 CC to M/s.P.KALAIYARASI BHARATHI, Advocate (SR-10298[I] dated
06/07/2023)

ORDER

IN

CRL OP(MD) No.12227 of 2023

Date :06/07/2023

PKP/ /SAR- /11.07.2023/ **3P/6C**