



CRL OP(MD). No.12463 of 2023

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

Date : 10/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12463 of 2023

M.Malaidurai

... Petitioner / Sole Accused

Vs

State rep by
The Sub Inspector of Police,,
D3,Karaiyur Police Station,
Ponnamaravathy Taluk,
Pudukkottai District.
(Crime No.68 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.S.Vinoth Kumar, 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.68 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, apprehending arrest at the hands of the respondent

Police for the alleged offence punishable under Sections 379 of IPC and r/w 21(1) of



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Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.68 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported $\frac{1}{4}$ unit of river sand. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. However, to show his bona fide, the petitioner has come forward to pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Cr.No.68 of 2023 before the trial Court concerned.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has illegally transported $\frac{1}{4}$ unit of river sand. He further submitted that no previous case is pending against the petitioner.

5. Considering the nature of the mineral involved, the antecedents of the petitioner and his willingness to pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Cr.No.68 of 2023 before the trial Court concerned, without prejudice to his



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rights and contentions before the trial Court.

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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 District Munsif Cum Judicial Magistrate Court, Ponnamaravathy, 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/-
10/07/2023

/ TRUE COPY /

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

TTA

To

1.The District Munsif cum Judicial Magistrate,
Ponnamaravathy.

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



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

3.The Sub Inspector of Police,
D-3, Karaiyur Police Station,
Ponnamaravathy Taluk,
Pudukkottai District.

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

+1 CC to M/s.S.VINOTH KUMAR, Advocate (SR-10571[I] dated 12/07/2023)

ORDER

IN

CRL OP(MD) No.12463 of 2023

Date :10/07/2023

ED/BUC /SAR- (26/07/2023) 4P / 6 C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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