



CRL OP(MD) No.12466 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.12466 of 2023

Anbarasan

... Petitioner/ Accused No.2

Vs

State Rep.by
The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
Crime No.576/2023.

... Respondent/Complainant

For Petitioner : Mr.K.S.Durai Pandian, 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.576 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/3rd Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of I.P.C r/w. Section 21(4)

of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.576 of

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



CRL OP(MD) No.12466 of 2023

2023 on the file of the respondent police, seeks anticipatory bail.

WEB COPY

2. The case of the prosecution is that the petitioner has transported five units of sand illegally through lorry bearing Registration No.TN 48 K 9258. Hence, the complaint.

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 transported five units of gravel sand illegally. Further, he would submit that petitioner has involved in twelve previous cases, out of which, four cases are pending and all other are disposed. Originally the petitioner was selling liquor illegally and later he changed his profession. Now he involved in transporting of sand illegally.

5.Perusal of list shows that most of the cases for selling liquor illegally and some of the cases for other IPC offences.

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



CRL OP(MD) No.12466 of 2023

learned Judicial Magistrate cum Munsif, Papanasam, 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 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/-
12/07/2023

/ TRUE COPY /

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

INDU

TO

1 THE JUDICIAL MAGISTRATE CUM MUNSIF, PAPANASAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, AMMAPETTAI POLICE STATION,
THANJAVUR DISTRICT.

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



CRL OP(MD) No.12466 of 2023

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

ORDER IN
CRL OP(MD) No.12466 of 2023
Date :12/07/2023

RS/DD/SAR-(26.07.2023) 4P 5C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023