



CRL OP(MD). No.12652 of 2023

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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.12652 of 2023

Rajkumar

... Petitioner / Accused No.3

Vs

The State, represented by
The Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.
Crime No.181/2023.

... Respondent / Complainant

(Amended as per the order in Crl.O.P(MD) No.12652 of 2023, dated 12.07.2023.)

For Petitioner : Mr.Solaisamy.M 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.181 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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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. Sections 4(1) (1A), 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.181 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has transported the sand illegally through the tractor. 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 one unit of gravel sand illegally. Further, he would submit that petitioner has no previous cases in similar nature.

5. Considering the nature of the mineral involved, the antecedents of the petitioner, 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 No.II, Sattur, 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



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orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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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.

9. The learned counsel for the petitioner would submit that the respondent Police Station has been wrongly mentioned in the petition as Elayirampannai Police Station, instead of Vembakkottai Police Station, Virudhunagar District.

10. The learned Government Advocate (Crl. Side) would submit that the jurisdictional Police Station is Vembakkottai Police Station, Virudhunagar District.

11. In view of the submission made by the both sides, Registry is directed to carry out the necessary amendment in the petition as well as the order.

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 No.II, Sattur.

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



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2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.

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

+1 CC to M/s.M.SOLAISAMY, Advocate (SR-10545[I] dated 12/07/2023)

ORDER
IN
CRL OP(MD) No.12652 of 2023
Date :12/07/2023

ED/BUC/SAR- (24/07/2023) 4P / 6C

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