



CRL OP(MD). No.12720 of 2023

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.12720 of 2023

Dharmarajan

... Petitioner/2nd Accused

Vs

The State rep.by,
The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District..
(Crime No.370/2023)

... Respondent/Complainant

For Petitioner : M/s.Maniyarasu K C, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.370/2023 on the file of the Respondent Police.



CRL OP(MD). No.12720 of 2023

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 379 I.P.C r/w 21 (1), 21(2) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.370 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons had illegally transported $\frac{1}{4}$ unit of sand without valid permit. 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. However, to show his bona fide, the petitioner has come forward to pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Cr.No.370 of 2023 before the trial Court concerned. Hence, prays to release him on anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that though there is no previous case pending against the petitioner herein, the accused persons had transported mineral illegally. Hence prays to dismiss the petition.

5. Considering the nature of the mineral involved, the antecedents of the petitioner and his willingness to pay a sum of Rs.5,000/- (Rupees Five 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.5,000/- (Rupees Five Thousand only) to the credit of Cr.No.370 of 2023 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Aranthangi, 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



CRL OP(MD). No.12720 of 2023

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/-
13/07/2023

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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, ARANTHANGI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI

3.THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION,
ARANTHANGI, PUDUKKOTTAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.12720 of 2023
Date :13/07/2023

RK /MMS(24/07/2023) 3P /5 C

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