



CRL OP(MD). No.12760 of 2023

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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.12760 of 2023

Prakash

... Petitioner/Sole Accused

Vs

The Inspector of Police,
K.Pudupatti Police Station,
Pudukkottai District.
Cr.No.32/2023.

... Respondent/Complainant

For Petitioner : M/S.RAMESHKUMAR.D, 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.32/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under section 379 I.P.C., r/w section 21(1), 21(2) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.32 of 2023 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the accused had illegally transported 3 units of red sand without any valid permit. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he is innocent and not committed any such offence, as alleged by the prosecution. He is not having any previous case at his credit. Hence, prays to release him on anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is having one previous case, which is not similar in nature. The accused had transported minerals without valid permit. Hence, prays to dismiss the petition.

5.Considering the facts that the petitioner is not having any previous case similar in nature, 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, Thirumayam, Pudukottai District, 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.



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7. 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, THIRUMAYAM, PUDUKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,
K.PUDUPATTI POLICE STATION, PUDUKKOTTAI DISTRICT.

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

ORDER IN
CRL OP(MD) No.12760 of 2023
Date :13/07/2023

SA/VR/SAR. /24.07.2023/3P/5C
Madurai Bench of Madras High Court is issuing
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