



CRL OP(MD). No.12767 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.12767 of 2023

1. Arumugam

2. Selvababu

3. Mahalingam

... Petitioners/
Accused Rank not known

Vs

The State rep.by,
The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli City.
Cr.No.429/2023.

... Respondent/Complainant

For Petitioners : M/s. S.Sundarapandian, 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. 429/2023 on the file of the Respondent police.

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



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ORDER : The Court made the following order :-

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The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under section 379 I.P.C., r/w section 21 (1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.429 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the accused persons had illegally transported 2 ½ units of red sand without any valid permit. Hence, the complaint.

3. The learned counsel for the petitioners submitted that they are innocent and not committed any such offence, as alleged by the prosecution. They are not having any previous case at their credit. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that though the petitioners are not having any previous case, the accused had transported minerals without valid permit. Hence, prays to dismiss the petition.

5.Considering the facts that the petitioners are not having any previous case at their credit, this Court is inclined to grant anticipatory bail to the petitioners.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, No.IV, Tirunelveli, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
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, NO.IV, TIRUNELVELI.

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2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3.THE INSPECTOR OF POLICE,
THATCHANALLUR POLICE STATION,
TIRUNELVELI CITY.

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

ORDER
IN
CRL OP(MD) No.12767 of 2023
Date :13/07/2023

RK/MMS (24/07/2023) 4P / 5C

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