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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 14.07.2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12861 of 2023

Sundarraaj

... Petitioner/1st Accused

Vs.

State Rep. by
The Sub-Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.
(Crime No.181 of 2023).

... Respondent/Complainant

For petitioner : Mr.M.Jothi Basu
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 Crime No.181 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/1st Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C r/w Sections 4(1)

(1A) and 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in

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

Crime No.181 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 petitioner has illegally transported 1 unit of gravel sand by using tractor vehicle bearing registration number TN 67 AV 5745. Therefore, the present case came to be registered.

3. The learned counsel for the petitioner submitted that the petitioner is an 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 1 unit of gravel sand illegally by using tractor vehicle bearing registration number TN 67 AV 5745. He further submitted that no previous case is pending against the petitioner herein.

5. Considering the nature of the mineral involved, there is no previous case pending against 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



Virudhunagar District at Srivilliputhur, 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 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/-
14/07/2023

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/07/2023

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

INDU

TO

1 THE PRINCIPAL SESSIONS JUDGE,
SPECIAL COURT FOR MINES AND MINERALS ACT CASES,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

2 THE SUB INSPECTOR OF POLICE
VEMBAKKOTTAI POLICE STATION, VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-10782[I] dated 17/07/2023)

ORDER
IN
CRL OP(MD) No.12861 of 2023
Date :14/07/2023

SS/MMS/24/07/2023/4P/5C

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