



CRL OP(MD) No.12872 of 2023

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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.12872 of 2023

1.Azhagesan,
2.Azhaguselvam,
3.Ramasamy,

... Petitioners/ Accused Nos.1 to 3

Vs.

State Rep. by
The Inspector of Police,
Namanasamuthiram Police Station,
Pudukkottai District.
(Crime No.59 of 2023).

... Respondent/ Complainant

For petitioners : Mr.D.Rameshkumar
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.59 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/1 to 3 Accused, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Section 379 I.P.C r/w



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Sections 21(1) and 21(2) of Tamil Nadu Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.59 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally transported 3 units of gravel sand by using tipper lorry. Therefore, the present case came to be registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that the petitioners have transported 3 units of gravel sand illegally by using tipper lorry. He further submitted that the first and third petitioners are having one previous case, which is not similar in nature and the second petitioners is having no previous case at his credit.

5. Considering the nature of the mineral involved, the first and third petitioners are having previous case, which is not in similar nature and the second petitioners is having no previous case, this Court is inclined to grant anticipatory bail to the petitioners.

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 his appearance, before



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the learned Judicial Magistrate, Thirumayam, Pudukkottai, 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/-
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 JUDICIAL MAGISTRATE,
THIRUMAYAM, PUDUKKOTTAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

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



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- 3 THE INSPECTOR OF POLICE
NAMANASAMUTHIRAM POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12872 of 2023
Date :14/07/2023

PKP/DD/SAR- /25.07.2023/ 4P/5C

Madurai Bench of Madras High Court is issuing certified
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