



CRL OP(MD). No.12957 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.07.2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12957 of 2023

Mari @ Marimuthu

... Petitioner/3rd Accused

Vs.

State Rep. by
The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.
(Crime No.256 of 2022).

... Respondent/ Complainant

For petitioner : Mr.P.Mani Anandh
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.256 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/3rd Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C, in Crime No.256 of 2022 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 pond sand by using JCB and a tipper lorry bearing registration number TN 72 AZ 1977. 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 pond sand illegally by using JCB and a tipper lorry bearing registration number TN 72 AZ 1977. 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 learned Judicial Magistrate No.V, Tirunelveli, 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



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Section 438 Cr.P.C. scrupulously.

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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/-
24/07/2023

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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 NO.V, TIRUNELVELI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
MUNNEERPALLAM POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.KATHIRESAPERUMAL, Advocate (SR-11303[I] dated 26/07/2023)

ORDER
IN
CRL OP(MD) No.12957 of 2023
Date :24/07/2023

PKP/MR/SAR- /29.07.2023/ 3P/6C
Madurai Bench of Madras High Court is issuing certified
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