



CRL OP(MD). No.13676 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13676 of 2023

1.Murugan
2.Adaikkalam
3.Muniyandi

... Petitioners/ Accused Nos.1 to 3

Vs

State represented by
The Inspector of Police,
Nagudi Police Station,
Pudukkottai District.
(In Crime No.149 of 2023)

... Respondent/Complainant

For Petitioners : M/s.R.PRASANNA, Advocate

For Respondent : Mr.B.NAMBISELVAN
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.149 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of IPC read with Section



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21(1), 21(2) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.149 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 19.07.2023 at about 5.30 a.m., the petitioner were illegally transported 3/4 unit (1/4 unit each) of river sand in bullock carts. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. Therefore, seek for the relief of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the petitioners 1 and 2 / Accused Nos.1 and 2 are not having any previous case, but the third petitioner herein / Accused No.3 is having one previous case in Crime No.604 of 2020, for the similar offence.

5. Taking into consideration the facts and circumstances of the case and considering the fact that no previous case has been pending against the petitioners 1 and 2, this Court is inclined to grant anticipatory bail to the petitioners 1 and 2 with certain conditions and this Criminal Original Petition is dismissed in so far as the third petitioner is concerned.

6. Accordingly, this Criminal Original Petition is allowed on condition that the



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petitioners 1 and 2 shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.149 of 2023 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the petitioners 1 and 2 are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Aranthangi, 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 1 and 2 shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners 1 and 2 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners 1 and 2 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/-
26/07/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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PNN

TO

1 THE JUDICIAL MAGISTRATE,
ARANTHANGI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,
NAGUDI POLICE STATION, PUDUKKOTTAI DISTRICT.

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

+1. CC to Mr.R.PRASANNA, Advocate SR.No.11330

ORDER
IN

CRL OP(MD) No.13676 of 2023

Date :26/07/2023

SA/MMS/SAR. /02.08.2023/4P/6C

Madurai Bench of Madras High Court is issuing
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