



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 27/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13725 of 2023

Kanthasamy

... Petitioner / Accused Rank not known

Vs

State represented by  
The Inspector of Police,  
Thalaiyuthu Police Station,  
Tirunelveli District.  
Crime No.178 of 2023.

... Respondent/Complainant

For Petitioner : 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.178 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, apprehending arrest at the hands of the respondent

police for the alleged offence punishable under Sections 397 of IPC, in Crime No.178



of 2023, on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that on 27.06.2023 the petitioner / accused was transporting 2 unit of Saral sand without proper license. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) would submit that no bad antecedent has been recorded against the petitioner herein.

5. Considering the facts and circumstances of this case and also the fact that the petitioner is not having any previous cases, 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.III, Tirunelveli, on condition that the petitioner shall

execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



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sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the second 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.

7. 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/-  
27/07/2023

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/08/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

pnn

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE  
THALAIYUTHU POLICE STATION,  
TIRUNELVELI DISTRICT.



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

ORDER  
IN  
CRL OP(MD) No.13725 of 2023  
Date :27/07/2023

SS/MMS/09/08/2023/4P/5C

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