



CRL OP(MD). No.13831 of 2023

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

Date : 28/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13831 of 2023

Ashok

... Petitioner / Accused No.5

Vs

The State represented by
The Inspector of Police,
Pazhavoor Police Station,
Pazhavoor,
Tirunelveli District.
(Crime No.162 of 2023).

... Respondent / Complainant

For Petitioner : M/s.Pragalathan.N, 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.162 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 Section 379 IPC (Sand



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Theft), in Crime No.162 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.07.2023 the accused persons had transported two units of savadu sand in the vehicle. Therefore, the present case came to be registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and not committed any offence as alleged by the prosecution. The co-accused has already been enlarged on anticipatory bail. Hence, prays to release him on anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that though the petitioner is not having any previous case, the accused persons had transported mineral without valid permit. Hence, prays to dismiss the petition.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Considering the facts that the petitioner is not having any previous case and the co-accused has already been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and the



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petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Valliyoor, Tirunelveli District, 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/-
28/07/2023

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

PNM

To

1.The Judicial Magistrate,
Valliyoor, Tirunelveli District.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.



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3.The Inspector of Police,
Pazhavor Police Station,
Pazhavor, Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-11451[I] dated 28/07/2023)

ORDER
IN
CRL OP(MD) No.13831 of 2023
Date :28/07/2023

ED/VR/SAR- (03/08/2023) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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