



CRL OP(MD). No.13912 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13912 of 2023

Vijayan

... Petitioner / Accused No.3

Vs

The State represented by
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
Crime No.272 of 2023.

... Respondent / Complainant

For Petitioner : M/s.R.Senthil Kumar, 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.272 of 2023 on the file of the Respondent Police.



CRL OP(MD). No.13912 of 2023

ORDER : The Court made the following order :-

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The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 and 379 of IPC, in Crime No.272 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the defacto complainant, who is a Village Administrative Officer, made a raid in the Kirugankottai village on 07.07.2023 at about 6.30 a.m., he seized a vehicle loaded with 1/2 unit of sand. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He has not committed any offence as alleged by the prosecution. However, to show his bona fide, the petitioner has come forward to deposit a sum of Rs.7,500/- (Rupees Seven Thousand and Five Hundred only).

4. The learned Government Advocate (Crl. Side) for the respondent police



CRL OP(MD). No.13912 of 2023

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submitted that the petitioner has transported half unit of river sand illegally. The Accused Nos.1, 2 and 4 were arrested and released on bail. He further submitted that the petitioner is not having any previous cases.

5. Considering the nature of the mineral involved, and his willingness to pay a sum of Rs.7,500/- (Rupees Seven Thousand and Five Hundred only), this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.7,500/- (Rupees Seven Thousand and Five Hundred only) to the credit of the Account Number (A/c.No.7567821433, Indian Bank, High Court Branch Madurai (2001), IFSC Code:IDIB000H040) opened by the Registrar Judicial, Madurai Bench of Madras High Court, Madurai, for donating law books in the name of "Madurai Bench of Madras High Court" in Kalaigiar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

7. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Manamadurai,

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CRL OP(MD). No.13912 of 2023

WEB COPY

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/-
31/07/2023

/ TRUE COPY /

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

pnn

TO

1.THE JUDICIAL MAGISTRATE,
MANAMADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.



CRL OP(MD). No.13912 of 2023

3.THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

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

COPY TO

1.THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE CHIEF LIBRARIAN AND INFORMATION OFFICER,
KALAIAGNAR CENTENARY LIBRARY,
MADURAI.

3 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.SENTHIL KUMAR, Advocate (SR-11502[I] dated 31/07/2023)

ORDER
IN

CRL OP(MD) No.13912 of 2023

Date :31/07/2023

RK/MMS/SAR-4 (16/08/2023) 5P / 9C

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