



CRL OP(MD). No.14098 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1.R.Raja

2.A.Selvam

... Petitioners / Accused Nos.1 and 2

Vs

The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
Crime No.527 of 2023.

... Respondent / Complainant

For Petitioners : M/s.A.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.527 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C and 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.527 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 18.07.2023 at about 09.45 a.m., when the defacto complainant was conducting a raid at Kandharvakottai to Pattukottai Road, the accused persons were found transporting six units of gravel sand illegally. Hence the present complaint came to be registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. They have 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.10,000/- (Rupees Ten Thousand only).

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



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submitted that the petitioner has transported six units of gravel sand without valid permit. He further submitted that the petitioners are not having any previous cases.

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5. Considering the nature of the mineral involved, and their willingness to pay a sum of Rs.10,000/- (Rupees Ten Thousand only) this Court is inclined to grant anticipatory bail to the petitioners.

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

(i) the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand 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 Kalaignar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

ii) further, the petitioners shall deposit a sum of Rs. 5,000/- (Rupees Five Thousand only) to the credit of Crime No.527 of 2023 before the learned Judicial Magistrate, Orathanadu, Thanjavur District.



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

8. The petitioners 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/-
02/08/2023

/ TRUE COPY /

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

pnn



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TO
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1.THE JUDICIAL MAGISTRATE, ORATHANADU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
THIRUVONAM POLICE STATION,
THANJAVUR 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 OFFICER IN CHARGE,
KALAIAGNAR CENTENARY LIBRARY, MADURAI.

ORDER
IN

CRL OP(MD) No.14098 of 2023

Date :02/08/2023

RK (17/08/2023) 5P / 7C

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