



CRL OP(MD). No.14230 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14230 of 2023

Mayandi

... Petitioner/ Accused Rank not known

Vs

The State rep.by,
The Inspector of Police,
Uthappanaickanur Police Station,
Madurai District.
Crime No.127 of 2023..

... Respondent/ Complainant

For Petitioner : M/s.Muthumalairaja S,
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.127 of 2023 on the file of the Respondent Police.



CRL OP(MD). No.14230 of 2023

ORDER : The Court made the following order :-

WEB COPY

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 506(i) and 379 of IPC and 21(5) of Mines and Minerals (Development and Regulation), Act, 1957, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 25.06.2023, at morning 7.30 a.m., while the defacto complainant was going to Vikramangalam Via Andipatti, the petitioner along with other accused, taking the sand from the Odai and when the defacto complainant questioned the same, they threatened him with dire consequences. 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. However, to show his bona fide, the petitioner has come forward to deposit a sum of Rs.5,000/- (Rupees Five Thousand only).



CRL OP(MD). No.14230 of 2023

WEB COPY

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has transported odai sand illegally. He further submitted that there is no previous case pending against the petitioner herein.

5. Considering the nature of the mineral involved, the antecedents of the petitioner and his willingness to pay a sum of Rs.5,000/- (Rupees Five Thousand 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.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 Kalaigiar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Usilampatti, Madurai District, on condition that the petitioner shall execute a



CRL OP(MD). No.14230 of 2023

WEB COPY

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/-
04/08/2023

/ TRUE COPY /

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

tm

TO

1. The Judicial Magistrate No.II, Usilampatti,
Madurai District.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.



CRL OP(MD). No.14230 of 2023

3. The Inspector of Police,
Uthappanaickanur Police Station,
Madurai 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,
Kalaaignar Centenary Library, Madurai

+1 CC to M/s.S.MUTHUMALAI RAJA, Advocate (SR-11989[I] dated 08/08/2023)

ORDER
IN
CRL OP(MD) No.14230 of 2023
Date :04/08/2023

RK /VR(25/08/2023) 5P /8 C

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