



CRL OP(MD). No.14266 of 2023

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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.14266 of 2023

1. S.Kanagaraj

2. V.Chandrasekaran

... Petitioners/ Accused 1,2

Vs

The State rep.by,  
The Inspector of Police,  
Thuraiyur Police Station,  
Trichy District.  
Cr.No.267/2023.

... Respondent/Complainant

For Petitioners : M/s. R.M.Makesh Kumarvel,  
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. 267/2023 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 1 & 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of IPC and 21(1) of Mines and Minerals (Development and Regulation), Act, 1957, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 27.07.2023 at about 4.30 p.m., the petitioners tried to illegally transport the two units of red sand. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. However, to show their bona fide, the petitioners have come forward to deposit a sum of Rs.5,000/- (Rupees Five Thousand only).

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners have transported two units of red sand illegally. He further submitted that there is no previous case pending against the petitioners herein.



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

6. Accordingly, this Criminal Original Petition is allowed on condition that 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 Kalaingar Centenary Library, Madurai, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Thuraiyur, Trichy District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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



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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/-  
04/08/2023

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

tm

TO

1. The Judicial Magistrate,  
Thuraiyur, Trichy District.
2. Do-Through The Chief Judicial Magistrate,  
Trichy District.
3. The Inspector of Police,  
Thuraiyur Police Station,  
Trichy District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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1.The Registrar( Judicial),  
Madurai Bench of Madras High Court, Madurai,

2.The Officer in charge,  
Kalaingar Centenary Library, Madurai,

+1 CC to M/s.R.M.MAKESH KUMARAVEL, Advocate ( SR-11817[I] dated  
04/08/2023 )

ORDER  
IN  
CRL OP(MD) No.14266 of 2023  
Date :04/08/2023

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

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