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

Date : 07/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14344 of 2023

1.M.Vigneshwaran

2.K.Thangapandi

... Petitioners/ Accused Rank Not Known
The Petitioners name does not find place in FIR

Vs

The State represented by
The Sub-Inspector of Police,
Srivilluputhur Town Police Station,
Virudhunagar District.
Crime No.302 of 2023..

... Respondent/ Complainant

For Petitioners : Mr.M.Jothi Basu,
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.302 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The Petitioners/ Accused, apprehending arrest at the hands of the respondent

Police for the alleged offence punishable under Section 379 I.P.C r/w Sections 21(1) of

<https://www.mca.gov.in/>



Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.302 of 2023
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on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the Petitioners have illegally transported the ½ unit sand using Tractor bearing Registration No.TN 15 MB 4345. Therefore, the present case 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. However, to show his *bona fide*, the Petitioners have 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 submitted that the Petitioners have transported sand illegally using tractor with trailer. He further submitted that there is no previous case pending against the Petitioners herein.

5. Considering the nature of the mineral involved, the antecedents of the Petitioners 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.



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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 Cr.No.302 of 2023 before the trial Court concerned. Further, 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 his 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 his appearance, before the Principal Sessions Court (Special Court for Mines and Minerals Act Cases), Virudhunagar District at Srivilliputhur, 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 orders. The Petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



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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/-
07/08/2023

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

INDU

TO

- 1 THE PRINCIPAL SESSIONS JUDGE,
SPECIAL COURT FOR MINES AND MINERALS ACT CASES,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 2 THE SUB INSPECTOR OF POLICE
SRIVILLIPUTTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 3 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 INCHARGE,
KALAINAR CENTENARY LIBRARY, MADURAI.



WEB COUNCIL +1 CC to M/s.M.JOTHI BASU, Advocate (SR-11907[I] dated 07/08/2023)

ORDER
IN
CRL OP(MD) No.14344 of 2023
Date :07/08/2023

SS/VRS/23/08/2023/5P/7C

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