



CRL OP(MD). No.14458 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14458 of 2023

Parthiban

... Petitioner/2nd Accused

Vs

State through
The Inspector of Police,
Chinna Dharapuram Police Station,
Karur District.
In Crime No.146 of 2023.

... Respondent/Complainant

For Petitioner : Mr.K.Sivabalan,
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.146 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/2nd Accused, apprehending arrest at the hands of the respondent



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Police for the alleged offence under Sections 379 of IPC r/w Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957, in Crime No.146 of 2023 on the file of the respondent police, seeks bail.

2. The prosecution case is that the accused persons have illegally transported 4 unit of quarry stones through the lorry bearing Registration No.TN 46 M 7796. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and has not committed any offence as alleged by the prosecution. He is the owner of the above said vehicle.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner is the owner of the above said vehicle and is having no previous case at his credit.

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.



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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 Kalaignar 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 District Munsif cum Judicial Magistrate, Aravakurichi, Karur 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 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.



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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/-
08/08/2023

/ TRUE COPY /

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

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TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ARAVAKURCHI, KARUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.
3. THE INSPECTOR OF POLICE,
CHINNA DHARAPURAM POLICE STATION,
KARUR 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.



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2.THE OFFICER INCHARGE,
KALAIIGNAR CENTENARY LIBRARY, MADURAI.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-11990[I] dated 08/08/2023)

ORDER
IN
CRL OP(MD) No.14458 of 2023
Date :08/08/2023

RK/VR (29/08/2023) 5P /8C

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