



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14648 of 2023

Manivannan

... Petitioner / Accused No.2

Vs

**The State represented by
The Inspector of Police,
Seithur Rural Police Station,
Virudhunagar District.
Crime No.81 of 2023.**

... Respondent / Complainant

**For Petitioner : Mr.P.Saravanakumar, 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.81 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C., read with Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.81 of 2023, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 06.07.2023, at about 20.25 hours, when the defacto complainant was conducting patrolling in Sundararajapuram, the accused persons were found illegal transporting 3 units of Saral sand (1 unit each) in three vehicles without valid permit. 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. He has 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.5,000/- (Rupees Five Thousand only).

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the earlier application was dismissed taken note of the previous cases pending against the petitioner herein.

5. Considering the nature of the mineral involved, and his willingness to pay a sum of Rs.5,000/- (Rupees Five Thousand only), and also the fact that the previous cases pending against the petitioner, are for the offences under IPC, 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



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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, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Rajapalayam, 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.

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/-

10/08/2023

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/08/2023

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

PNN
TO

1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
SEITHUR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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+1 CC to M/s.P.KALAIYARASI BHARATHI, Advocate (SR-12112[I] dated
10/08/2023)

ORDER
IN
CRL OP(MD) No.14648 of 2023
Date :10/08/2023

SS/VR/29/08/2023/4P/7C

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