



CRL OP(MD). No.14604 of 2023

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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.14604 of 2023

Sreejith

... Petitioner / Accused No.2

Vs

The State represented by
The Inspector of Police,
Aralvoimozhi Police Station,
Aralvoimozhi,
Kanniyakumari District.
Crime No.193 of 2023.

... Respondent / Complainant

For Petitioner : M/s.N.PRAGALATHAN, 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.193 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 and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.193 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 03.08.2023 at about 02.00 a.m., when

the defacto complainant was conducting a raid, the accused persons were found



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complaint.

illegal transporting 12 units of crusher 'dust', with a permit of M-Sand. Hence the

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 petitioner has permit for transporting M-sand, but by violating the permit, the petitioner and other accused persons transported 12 units of crusher 'dust'. He further submitted that the petitioner is not having any previous cases.

5. Considering the nature of the mineral involved, 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 Kalaigarn Centenary Library, Madurai,



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without prejudice to his rights and contentions before the trial Court.

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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, Boothapandi, Kanniyakumari 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.

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 will stand dismissed.

sd/-
10/08/2023

/ TRUE COPY /

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

PNN
TO
1 THE JUDICIAL MAGISTRATE,
BOOTHAPANDI, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

<https://www.mhc.tn.gov.in/judis>



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3 THE INSPECTOR OF POLICE,
ARALVOIMOZHI POLICE STATION,
ARALVOIMOZHI, KANNIYAKUMARI DISTRICT.

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

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MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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ORDER IN
CRL OP(MD) No.14604 of 2023
Date :10/08/2023

SA/SAR. /25.08.2023/4P/8C

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