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

Date : 11/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14709 of 2023

1. N.Selvaraj

2. R.Senthan

... Petitioners/ Accused No.1 & 2

Vs

The State represented by
The Inspector of Police,
Thogamalai Police Station,
Karur District.
Crime No.340/2023.

... Respondent/Complainant

For Petitioners : M/s.Prasanna Vinoth.B,
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.340 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 Sections 379 I.P.C and Section 21(1) of



Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.340 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally transported the one unit of gravel sand. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. However, to show their *bona fide*, the petitioners have come forward to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) jointly.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners have transported the one unit of gravel sand illegally. He further submitted that the petitioners are not having any previous cases.

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

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) jointly, 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



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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, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Kulithalai, Karur 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 every Saturday at 10.30 a.m. until further 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 is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
11/08/2023

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

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TO

1 THE JUDICIAL MAGISTRATE NO.I,
KULITHALAI, KARUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE
THOGAMALAI POLICE STATION, KARUR DISTRICT.

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

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+1 CC to M/s.B.PRASANNA VINOTH, Advocate (SR-12219[I] dated 11/08/2023)

ORDER

IN

CRL OP(MD) No.14709 of 2023

Date :11/08/2023

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

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