



CRL OP(MD). No.14761 of 2023

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

Date : 14/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.14761 of 2023

Elayaraja

... Petitioner / Accused Rank not known

Vs

The Inspector of Police,
Mathagupatti Police Station,
Sivagangai District.
(Cr.No.145 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.T.Palanisamy Advocate.
For Respondent : Mr.S.Manikandan
Government Advocate (Crl.side)

PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Bail in Crime No.145 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 379 of IPC in Crime No.145 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 05.08.2023, at about 6.30 p.m., when the police team was in regular vehicle checkup, the petitioner was found illegally transported 6 unit of gravel sand without valid permit. Hence the complaint.



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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.30,000/- (Rupees Thirty Thousand only).

4. Learned Government Advocate (Crl.side) would submit that the petitioner was illegally transported 6 units of gravel sand. No previous case has been registered against him.

5. Considering the nature of the mineral involved, and his willingness to pay a sum of Rs.30,000/- (Rupees Thirty Thousand only) this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that,

(i) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten 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, without prejudice to his rights and contentions before the trial Court.

ii) further, the petitioner shall deposit a sum of Rs. 10,000/- (Rupees Ten



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Thousand only) to the credit of Crime No.145 of 2023 before the learned Judicial

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Magistrate No.I, Sivagangai District.

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 No.I, Sivagangai 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 is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-

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/09/2023

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

PNN

To

1.The Judicial Magistrate No.I, Sivgangai.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

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



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3.The Inspector of Police,
Mathagupatti Police Station,
Sivagangai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

1.The Registrar (Judicial),
Maduria Bench of Madras High Court, Madurai.

2.The Officer Incharge,
Kalaighnar Centenary Library, Madurai.

+1 CC to M/s.T.PALANISAMY, Advocate (SR-12258[I] dated 14/08/2023)

ORDER

IN

CRL OP(MD) No.14761 of 2023

Date :14/08/2023

ED/VRS/SAR- (07/09/2023) 4P / 8C

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