



CRL OP(MD). No.14867 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14867 of 2023

Mareeshwaran

... Petitioner/ Accused No.3

Vs

State represented by
The Inspector of Police,
Town Police Station,
Srivilliputhur
Virudhunagar District.
Crime No.346 of 2023.

... Respondent/ Complainant

For Petitioner : M/s.S.M.Anantha Murugan, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.346 of 2023 on the file of the Respondent Police.



CRL OP(MD). No.14867 of 2023

ORDER : The Court made the following order :-

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The petitioner / Accused No.3 herein, who was arrested on 04.08.2023 for the alleged offence under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulations) Act, 1957, in Crime No.346 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 04.08.2023, on receiving a secret information, the respondent police went to the Srivilliputhur, Kali temple and found the accused persons mining with the help of JCB and two tractors. Hence three persons were arrested on the spot. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Hence, he seeks for the relief of bail.

4. The learned Additional Public Prosecutor would submit that the petitioner has involved in four previous cases and not in the similar nature.



CRL OP(MD). No.14867 of 2023

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5. Considering the facts and circumstances of this case and considering the period of incarceration, this Court is inclined to grant relief to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
16/08/2023

/ TRUE COPY /

16/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

TO

1.THE JUDICIAL MAGISTRATE NO.II,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

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



CRL OP(MD). No.14867 of 2023

3.THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
SRIVILLIPUTHUR
VIRUDHUNAGAR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, SRIVILLIPUTHUR.

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

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-12308[I] dated
16/08/2023)

ORDER
IN
CRL OP(MD) No.14867 of 2023
Date :16/08/2023

RK (16/08/2023) 4P / 7C

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