



CRL OP(MD). No.15016 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 18/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15016 of 2023

1.P.Nadimuthu

2.T.Palaniyappan

3.Jagadeeshpandiyan

... Petitioners / Accused Nos. 2 to 4

Vs

The State rep.by

The Inspector of Police, Avudaiyarkovil Police Station,

Pudukottai District.

Cr.No.119 of 2023.

... Respondent/Complainant

For Petitioners : M/s.K.KHARI KHARADAS, Advocate.

For Respondent : Mr.R.SURESH KUMAR Government Advocate (Crl.side)

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

PRAYER :-For Anticipatory Bail in Crime No.119 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 and Section 21(1), 21(2) of Mines and minerals (Development & Regulation) Act, 1957, in Crime No.119 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 9.00 a.m., on receiving an information about sand theft, the police team went to the occurrence place and conducted vehicle checkup, found four bullock carts with 1 unit of (1/4 unit



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each) of river sand without valid permit. On seeing the police, the riders of the bullock cart were escaped from the place. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. They have 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.15,000/- (Rupees Fifteen Thousand only).

4. Learned Government Advocate (Crl.side) would submit that the petitioners were illegally transported 1 unit of river sand. No previous case has been registered against him.

5. Considering the nature of the mineral involved, and their willingness to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) this Court is inclined to grant anticipatory bail to the petitioners.

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

(i) the petitioners 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 Kalaignar Centenary



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

ii) further, the petitioners shall deposit a sum of Rs. 5,000/- (Rupees Five Thousand only) to the credit of Crime No.119 of 2023 before the learned Judicial Magistrate, Aranthangi.

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, Aranthangi, 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 petitioners shall appear before the respondent police daily 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/-  
18/08/2023

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/09/2023  
Sub-Assistant Registrar (C.S. )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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PNN

TO

1 THE JUDICIAL MAGISTRATE, ARANTHANGI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,  
AVUDAIYARKOVIL POLICE STATION, PUDUKOTTAI DISTRICT.

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

1 THE REGISTRAR(JUDICIAL),  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

2 THE OFFICER INCHARGE,  
KALAINAR CENTENARY LIBRARY, MADURAI.

ORDER IN  
CRL OP(MD) No.15016 of 2023  
Date :18/08/2023

SA/VR/SAR. /08.09.2023/4P/7C

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