



CRL OP(MD). No.15081 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

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1.Chandrakumar
2.Prabaharan
3.Thiruppathi

... Petitioners/ Accused not known

Vs

State Rep.by
The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.
Cr.No.236 of 2023.

... Respondent/ Complainant

For Petitioners : M/s.M.Rajarajan, 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.236 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.236 of 2023, on the file



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of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that on 27.06.2023, on information, when the defacto complainant went to the spot, the petitioners were involved in illegal sand mining. Hence the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) for the respondent police submitted that the petitioner has involved in illegal sand mining. He has transported the minerals beyond the permit limit.

5. The learned counsel for the petitioner straight away relied upon the permission that was granted by the competent authority dated 04.05.2023 to take karambai sand from the pond area with certain conditions.

6. The learned Government Advocate (Crl.side) would submit that violating the above said conditions, the above said sand has been taken away. Hence, the FIR has been registered. Totally there are 10 accused in this case. A1 to A6 have been arrested and still in custody.

7. There is some violation of permit or licence as the case may be issued by the competent authority. Therefore, the competent authority can proceed only under the provisions of Rules and Regulations in that aspect. Therefore, this Court is inclined



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to grant anticipatory bail to the petitioners.

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8. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their their appearance, before the learned Judicial Magistrate, Sivagiri, 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 daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously.

9. 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/-

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/09/2023

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

pnn



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To

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1 THE JUDICIAL MAGISTRATE, SIVAGIRI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, PULIYANGUDI POLICE STATION,
TENKASI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.15081 of 2023

Date :18/08/2023

RS/VR/SAR-(08.09.2023) 4P 5C

Madurai Bench of Madras High Court is issuing
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