



CRL OP(MD). No.15354 of 2023

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

Date : 23/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Sivam
2. Sivakumar
3. Adaikalaraj

... Petitioners / Accused No.2,4 and 6

Vs

State rep by
The Inspector of Police,
Athanakottai Police Station,
Pudukottai District.
(Crime No. 98 of 2023.)

... Respondent / Complainant

For Petitioners : M/s Arun Prasad.A, 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. 98 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.2, 4 & 6, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of IPC and



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21(1), 21(2) of Mines and Minerals (Development and Regulation), Act, 1957, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 04.08.2023, the petitioners along with other accused persons, trying to transport 1 ½ unit of Kulathuman illegally, without valid permit. 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. However, to show their bona fide, the petitioners have come forward to deposit a sum of Rs.5,000/- (Rupees Five Thousand only).

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners have transported 1½ unit of Kulathuman illegally. He further submitted that there is no previous case pending against the petitioners herein.

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

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) to the credit of the Account Number (A/c.No.7567821433, Indian Bank, High Court



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7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Kantharvakottai, 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 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 made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
23/08/2023

/ TRUE COPY /

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



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To

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1.The Judicial Magistrate, Kantharvakottai.

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

3.The Inspector of Police,
Athanakottai Police Station, Pudukottai District.

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

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Madurai Bench of Madras High Court, Madurai.

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ORDER

IN

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Date :23/08/2023

ED/VR /SAR- (05/09/2023) 4P / 7C

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