



CRL OP(MD). No.15489 of 2023

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

Date : 25/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.15489 of 2023

1. Vigneshkumar
2. Mahadevan

... Petitioners / Accused No.1 & 2

Vs

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

... Respondent / Complainant

For Petitioner : M/s.Sankara Pandian J, 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.

ORDER : The Court made the following order :-

The petitioners/A1 and A2 herein, who were arrested on 04.08.2023 for the alleged offence under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.346 of 2023 on the file of the respondent police, seek bail.



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2.The case of the prosecution is that on 04.08.2023, at about 5.30 p.m., when the police party on picketing duty, near Thiruvannamalai, Srivilliputhur Taluk, they found the accused persons, who illegally transported the sand without any valid permit or licence.

3.The learned counsel for the petitioner submitted that the petitioners are innocent persons and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. 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 Additional Public Prosecutor submitted that the petitioners are trying to totally 1 $\frac{3}{4}$ units of sand and the co-accused in this case has been released on bail by this Court. This petitioners are having having no previous case pending against them.

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, on executing a personal 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 Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
25/08/2023

/ TRUE COPY /

25/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

To

1.The Judicial Magistrate No.II,
Srivilliputhur, Virudhunagar District.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.



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3.The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur, Virudhunagar District.

4.The Officer Incharge,
Sub Jail, Srivilliputhur, Virudhunagar District.

5.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

CRL OP(MD) No.15489 of 2023

Date :25/08/2023

ED/ /SAR- (25/08/2023) 4P / 8C

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