



CRL OP(MD). No.15539 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.15539 of 2023

Prabhakar

... Petitioner / Sole Accused

Vs

State rep by
The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.
(Crime No.436 of 2023.)

... Respondent / Complainant

For Petitioner : Ms.Dhilipan Pandian R.L., 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.436 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 09.08.2023 for the alleged offence under Sections 379 of IPC r/w. 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.436 of 2023, on the file of the



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respondent police, seeks bail.

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2.The case of the prosecution is that on 09.08.2023 the petitioner was trying to illegally transport $\frac{1}{4}$ unit of river sand without valid permit. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has 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.5,000/- (Rupees Five Thousand only).

4.The learned Additional Public Prosecutor submitted that that the petitioner has transported $\frac{1}{4}$ unit of river sand illegally. He further submitted that there is no previous case pending against the petitioner herein.

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

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner 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 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 Kalaigiar Centenary Library,



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

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7. On such deposit being made, 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, Papanasam, Thanjavur District and on further condition that the petitioner 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,
Papanasam, Thanjavur District.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Kabistharam Police Station,
Thanjavur District.

4.The Officer Incharge,
Sub Jail, Papanasam, Thanjavur district.

<https://www.mhc.tn.gov.in/judis>



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5.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,
Kalaigiar Centenary Library, Madurai.

ORDER

IN

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Date :25/08/2023

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

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