



CRL OP(MD). No.16092 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16092 of 2023

Sudalaimani

... Petitioner / Sole Accused

Vs

State rep by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.442 of 2023.)

... Respondent / Complainant

For Petitioner : Mr.C.Susi Kumar, Advocate.
For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.442 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C r/w Sections 21(4) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.442 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is serving as a

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



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Tahsildar at Radhapuram, Tirunelveli District. On 19.08.2023 at about 11.30 p.m., while he was in the vehicle check up near Erukkanthurai Village road, they intercepted a lorry bearing Registration No.TN 06 F 5104, on the spot they have seized three units of saral sand from the above said lorry. Therefore, the present case came to be registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. 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 Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has transported 3 units of saral 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



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7. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Radhapuram, 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 petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner 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/-
05/09/2023

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/09/2023

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

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To

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- 1.The Judicial Magistrate, Radhapuram.
- 2.Do through the Chief Judicial Magistrate, Tirunelveli District.
- 3.The Inspector of Police,
Koodankulam Police Station, Tirunelveli 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,
Kalaighnar Centenary Library, Madurai.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-13348[I] dated 07/09/2023)

ORDER

IN

CRL OP(MD) No.16092 of 2023

Date :05/09/2023

ED/JGB/SAR- (13/09/2023) 4P / 8C

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