



CRL OP(MD). No.16177 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16177 of 2023

Staling Istoniye

... Petitioner / Accused No.1

Vs

The State rep by
The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
Crime No.187 of 2023.

... Respondent / Complainant

For Petitioner : Mr.A.Arul Jenifer, 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.187 of 2023 on the file of the Respondent Police.



CRL OP(MD). No.16177 of 2023

ORDER: The Court made the following order :-

WEB COPY

The petitioner/1st 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(1) and 21(2) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.187 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 28.08.2023, when the defacto complainant and other officials made an inspection in Seemanur Highways, they found that the petitioner has illegally transported M Sand using lorry bearing registration No.TN 46 J 4621 without any valid permission. 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.10,000/- (Rupees Ten Thousand only).

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has transported M-Sand illegally by using lorry. He further submitted that the petitioner is involved in two previous cases, which are not in similar nature.

5. Considering the nature of the mineral involved, the antecedents of the



CRL OP(MD). No.16177 of 2023

petitioner and his willingness to pay a sum of Rs.10,000/- (Rupees Ten 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 Cr.No.187 of 2023 before the trial Court concerned. Further, 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 Kalaignar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

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, Thirumayam, Pudukkottai District, 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.



CRL OP(MD). No.16177 of 2023

WEB COPY

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/-
07/09/2023

/ TRUE COPY /

/09/2023

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

INDU

To

1.The Judicial Magistrate,
Thirumayam, Pudukkottai District.

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

3.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai 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,
Kalaingar Centenary Library, Madurai.

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



WEB COPY



CRL OP(MD). No.16177 of 2023

ORDER
IN
CRL OP(MD) No.16177 of 2023
Date :07/09/2023

ED/VR/SAR- (13/09/2023) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023