



CRL OP(MD). No.16362 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16362 of 2023

Anantharaj

... Petitioner / Accused No.1

Vs

State represented by its
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No. 163 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Jegadeesh Pandian.M, 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. 163 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioner/Accused No.1 herein, who was arrested on 07.08.2023 for the alleged offence under Sections 379 of IPC r/w. 21(5) of MMDR Act, 1957, in Crime No.163 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 07.08.2023, at about 8.30 hours, the petitioner along with other accused persons involved in transportation of one unit of river sand illegally. 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 pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only).

4. The learned Additional Public Prosecutor for the respondent police submitted that the petitioner has transported one unit of river sand illegally. He further submitted that there is one previous case pending against the petitioner herein.



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5. Considering the nature of the mineral involved, the antecedents of the petitioner and his willingness to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) (*) this Court is inclined to grant 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 Kalaingar Centenary Library, Madurai, and Rs.10,000/- (Rupees Ten Thousand only) to the credit of (**) crime No.163 of 2023, before the trial Court, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, this Criminal Original Petition is allowed and 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 Principal District and Sessions Judge, Virudhunagar

District at Srivilliputtur and on further conditions that the petitioner shall file an

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undertaking affidavit before the trial Court that they will not indulge in any offence in future and the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders. If any case is registered against the petitioners in future, the bail that has been granted in this case, will stand automatically cancelled without reference to this Court.

sd/-
11/09/2023

(*)(**)FOR BEING MENTIONED AS PER ORDER
OF THIS HON'BLE COURT DT.13/09/2023 IN
CRL.OP(MD).16362/2023.

/ TRUE COPY /

13/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO BE SUBSTITUTED WITH THE ORDER DT. 11/09/2023 ALREADEY
DESPATCHED
To

1.The Principal District and Sessions Judge,
Virudhunagar District at Srivilliputhur.

2.The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.

3.The Officer Incharge,
District Prison,
Virudhunagar.



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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,
Kalaigarn Centenary Library, Madurai.

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-13472[I] dated
11/09/2023)

ORDER

IN

CRL OP(MD) No.16362 of 2023

Date :11/09/2023

ED/ /SAR- (11/09/2023) 5P / 8C

TM

PKP/SAR- /13.09.2023/ 5P/8C

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