



CRL OP(MD). No.16366 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.16366 of 2023

Chinnathambi

... Petitioner / Sole Accused

Vs

The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.162 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Seemaraj.K, 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.162 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 07.08.2023 for the alleged offence under Sections 379 of IPC r/w. 21(1) of MMDR Act, 1957, in Crime No.162 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 5.30 hours, the petitioner involved in transportation of 1/4 unit of river sand illegally. Hence, the



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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.5,000/- (Rupees five Thousand only).

4. The learned Additional Public Prosecutor for the respondent police submitted that the petitioner has transported $\frac{1}{4}$ unit of river sand illegally. He further submitted that there is two previous cases 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 Kalaignar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, this Criminal Original Petition is allowed and



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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, Thiruchuli, Virudhunagar District and on further conditions that the petitioner shall file an 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 petitioner in future, the bail that has been granted in this case, will stand automatically cancelled without reference to this Court.

sd/-
11/09/2023

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11/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

To

1.The Judicial Magistrate, Thiruchuli, Virudhunagar District.

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

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

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



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

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,
Kalaigarn Centenary Library, Madurai.

+1 CC to M/s.K.SEEMARAJA, Advocate (SR-13465[I] dated 11/09/2023)

ORDER
IN

CRL OP(MD) No.16366 of 2023

Date :11/09/2023

ED/ /SAR- (11/09/2023) 4P / 9C

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