



CRL OP(MD) No.16462 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twelfth day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.16462 of 2023

PANNEER

... PETITIONER/ACCUSED NO.1

Vs

State Rep.by
THE INSPECTOR OF POLICE
THIRUPPANANDHAL POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.128 OF 2022.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.M.KARUNAKARAN, 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.128 OF 2022 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC r/w 21 (1) of Mines and Minerals (Development and Regulation), Act, 1957, in Crime No.128 of 2022, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 01.02.2022, the petitioner along with other accused person, tried to transport illegally the river sand in 5 bags. Hence, the case.

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 5 bags of river sand illegally. He further submitted that there are two previous cases pending against the petitioner herein, which is also registered during the covid-19 pandemic period.

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



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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 District Munsif cum Judicial Magistrate, Thiruvudaimaruthur 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 will stand dismissed.

sd/-

12/09/2023

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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, THIRUVIDAIMARUTHUR.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THAJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, THIRUPPANANDHAL POLICE STATION,
THANJAVUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-13512[I] dated 12/09/2023)

ORDER
IN

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Date :12/09/2023

RS/JGB/SAR-(20.09.2023) 4P 8C

Madurai Bench of Madras High Court is issuing
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