



CRL OP(MD). No.16554 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16554 of 2023

1.M.Ramesh

2.P.Natarajan @ Nadaraj

... Petitioners/1st & 2nd Accused

Vs

State, represented by
The Inspector of Police,
Vangal Police Station,
Karur District.
Crime No.322 of 2023.

... Respondent/Complainant

For Petitioner : Mr.J.Senthil Kumaraiah, 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.322/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C r/w



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Sections 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.322 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the defacto complainant and other officials were on patrolling duty on 17.08.2023 at about 5.00 a.m near Koyamballi Cauvery river, they found that the accused persons transported the $\frac{1}{4}$ unit of river sand using bullock cart each. Therefore, the present case came to be registered.

3. The learned counsel for the petitioner submitted that the petitioners are innocent and they have 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) each.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that no previous case is pending against the petitioners.

5. Considering the nature of the mineral involved, the antecedents of the petitioners and their willingness to pay a sum of Rs.5,000/- (Rupees Ten Thousand only) each this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each to the credit of Cr.No.322 of 2023 before the trial Court concerned.

7. On such deposit being made, the petitioners are ordered to be released on



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bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Karur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners 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/-
13/09/2023

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/09/2023

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

Indu

TO

1 THE JUDICIAL MAGISTRATE NO.II, KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.

3 THE INSPECTOR OF POLICE, VANGAL POLICE STATION,
KARUR DISTRICT.

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



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

+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-13609[I] dated 13/09/2023)

ORDER
IN
CRL OP(MD) No.16554 of 2023
Date :13/09/2023

RS/JGB/SAR-(21.09.2023) 4P 6C
Madurai Bench of Madras High Court is issuing
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