



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16668 of 2023

1.Vasantha

2.Velmurugan

... Petitioner/ Accused Nos.3 and 4

Vs

The State, represented by
The Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.
(Crime No.217 of 2023).

... Respondent/ Complainant

For Petitioners : Mr.M.Pitchai Muthu,
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.217 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.3 and 4, apprehending arrest at the hands of the
respondent police for the alleged offence punishable under Sections 379 of IPC r/w.

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



21(1) of Mines and Minerals (Development and Regulations) Act, 1957, in Crime No.217 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.09.2023, when the defacto complainant was on patrolling duty along with his Police party, they found that the petitioners had illegally transported one unit of red sand using tractor bearing Registration No.TN 45 AZ 8556 along with trailer. Therefore, the present case came to be registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. However, to show his bona fide, the petitioners have 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 the petitioners have transported 1 unit of red sand illegally. He further submitted that there is no previous cases pending against the petitioners herein.

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 Five Thousand

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



only) each this Court is inclined to grant anticipatory bail to the petitioners.

WEB COPY

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 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, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Manapparai, Trichy District, 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

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



of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
14/09/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1. The Judicial Magistrate, Manapparai, Trichy District.
2. Do through the Chief Judicial Magistrate,
Trichy
3. The Inspector of Police,
Thuvarankurichi Police Station,
Trichy 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
Kalaigiar Centenary Library, Madurai.



WEB COPY



ORDER
IN
CRL OP(MD) No.16668 of 2023
Date :14/09/2023

SSA/JGB/03.10.2023/5P/7C

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