



CRL OP(MD). No.16862 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16862 of 2023

1. Kanagaraj,
2. Shankar,
3. Murali@murali Dass,

... Petitioners/ Accused Nos.4, 5 & 8

Vs

The State Rep.by
The Inspector of Police,
Samayapuram Police Station, Trichy District.
(Crime No.286/2023).

... Respondent/Complainant

For petitioners : M/s.Suresh M,
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.286/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.4, 5 & 8, apprehending arrest at the hands of the



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respondent police for the alleged offence punishable under Sections 379 of IPC r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.286 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 07.09.2023, at 1.00 a.m., on secret information the respondent police went to the spot and found the accused persons are involved in transportation of 2 units of river sand beyond the permit. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is violation of permit. The petitioners have transported the river sand beyond the permit. There is no previous cases against the petitioners.

5. Considering the nature of the mineral involved, and the antecedents of the petitioners this Court is inclined to grant anticipatory bail to the petitioners on payment of costs.



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6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten 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, and Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Crime No.286 of 2023 before the trial Court, 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 their appearance, before the learned Judicial Magistrate No.III, Trichy, 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.



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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 stands dismissed.

sd/-
19/09/2023

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE No.III, TRICHY

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY
DISTRICT.

3 THE INSPECTOR OF POLICE
SAMAYAPURAM 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.



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2 THE OFFICER INCHARGE
KALAI GNAR CENTENARY LIBRARY,
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ORDER
IN
CRL OP(MD) No.16862 of 2023
Date :19/09/2023

TM

PKP/VRS/SAR- /26.09.2023/ 5P/ 7C

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