



CRL OP(MD). No.16867 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.16867 of 2023

Aasaithambi,

... Petitioner/ Accused 2

Vs

The Inspector of Police,
Natchiyarkovil Police Station,
Thanjavur District.
Crime No.724 of 2023.

... Respondent/ Complainant

For Petitioner : M/s.MAHESWARAN R,
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.724 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC and 21(4) of Mines and Minerals (Development and Regulation), Act, 1957, in Crime No.724 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused person is involved in

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transportation of one unit of river sand. Hence, the complaint.

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3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has transported one unit of river sand. He further submitted that there is no previous case similar in nature pending against the petitioner herein.

5. Considering the nature of the mineral involved, the antecedents of the petitioner, 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, and Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.724 of 2023 before the trial Court, 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



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in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District, 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 stands dismissed.

sd/-
19/09/2023

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

TM

TO

1 THE JUDICIAL MAGISTRATE COURT NO.II,
KUMBAKONAM, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

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

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

COPY TO:

1 THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
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2 THE OFFICER INCHARGE,
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+1 CC to M/s.R.MAHESWARAN, Advocate (SR-13927[I] dated 20/09/2023)

ORDER IN
CRL OP(MD) No.16867 of 2023
Date :19/09/2023

SA/GB/SAR. /27.09.2023/4P/8C

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