



CRL OP(MD). No.17016 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1.Rajasritharan @ Rajasrikaran

2.Vinoth

3.Arivalagan

4.Ajay

... Petitioners / Accused Nos.2,3,5 & 6

Vs

State represented by
The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
Crime No.617 of 2023.

... Respondent / Complainant

For Petitioners : M/s.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.617 of 2023 on the file of the Respondent Police.

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



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ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 I.P.C r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.617 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 14.09.2023, when the respondent were conducted raid near the place of occurrence, they found three vehicles loaded with 1/2 unit of river sand each. The respondent seized the vehicle and registered the present case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. They have not committed any offence as alleged by the prosecution. However, to show his bona fide, the petitioner has come forward to deposit a sum of Rs.22,500/- (Rupees Twenty Two Thousand and Five Hundred only).

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has illegally transported 1-1/2 units of river sand in three vehicles. He further submitted that the petitioners are not having any previous cases.



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5. Considering the nature of the mineral involved, and their willingness to pay a sum of Rs.22,500/- (Rupees Twenty Two Thousand and Five Hundred only) this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that

(i) the petitioners 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, without prejudice to his rights and contentions before the trial Court.

ii) further, the petitioners shall deposit a sum of Rs. 17,500/- (Rupees Seventeen Thousand and Five Hundred only) to the credit of Crime No.617 of 2023 before the learned Judicial Magistrate, Pattukottai.

7. On such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Pattukottai, on condition that the petitioners 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 petitioners shall appear



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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 stands dismissed.

sd/-
21/09/2023

/ TRUE COPY /

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

PNN
TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.
- 2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
VATTATHIKOTTAI 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-13960[I] dated 21/09/2023

ORDER
IN

CRL OP(MD) No.17016 of 2023
Date :21/09/2023

PKP/DD/SAR- /09.10.2023/ 5P/ 8C

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