



CRL OP(MD). No.17145 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17145 of 2023

1. Vishwanathan

2. Muthukumar

... Petitioners/ Accused Rank not known

Vs

The State represented by
The Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.
Crime No. 178/2023.

... Respondent/Complainant

For Petitioner : Mr.T. Veerakumar,
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.178 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, apprehending arrest at the hands of the respondent



CRL OP(MD). No.17145 of 2023

police for the alleged offence punishable under Sections 379 of IPC and 21(4) of Mines and Minerals (Development and Regulation), Act, 1957, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 12.08.2023 at about 02.00 p.m., when the defacto complainant and his officials while on inspection, they found two tractors without number plate. The accused persons are trying to illegally transport each half unit of savudu sand in their vehicle. 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. However, to show their *bona fide*, the petitioners have come forward to deposit a sum of Rs.5,000/- (Rupees Five Thousand only).

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners have transported each half unit of savudu sand illegally. He further submitted that there is no previous case pending against the petitioners herein.



CRL OP(MD). No.17145 of 2023

WEB COPY

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

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)** 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 Kalaigiar Centenary Library, Madurai,** without prejudice to their 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, Thiruvadanai, Ramanathapuram 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



CRL OP(MD). No.17145 of 2023

daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

WEB COPY

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/-
22/09/2023

/ TRUE COPY /

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

TM

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUVADANAI, RAMANATHAPURAM DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
RS MANGALAM POLICE STATION,
RAMANATHAPURAM DISTRICT.



CRL OP(MD). No.17145 of 2023

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,
KALAINAR CENTENARY LIBRARY,
MADURAI.

+1 CC to M/s.T.VEERAKUMAR, Advocate (SR-13996[I] dated 22/09/2023)

ORDER
IN
CRL OP(MD) No.17145 of 2023
Date :22/09/2023

SS/MGA/06/10/2023/5P/8C

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