



CRL OP(MD). No.17210 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17210 of 2023

Jayanth

... Petitioner/ Accused Rank Not Known
Vs.

The State, represented by
The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.
(Crime No.136 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.K.P.Narayanakumar,
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.136 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused rank not known, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of IPC r/w. 21(1) of Mines and Minerals (Development and Regulations) Act, 1957, in Crime No.136 of 2023 on the file of the respondent Police, seeks anticipatory bail.



CRL OP(MD). No.17210 of 2023

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2. The case of the prosecution is that on 26.08.2023, on secret information received about broken of stones in patta land, the defacto complainant visited the property in Re.Sy.No.743/3 owned by one Anukiraha Stalin and found that without obtaining any permission, they broken the small rocks by using compressor and the same was loaded in the vehicle bearing Registration No.TN 75 K 1049. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. However, to show his *bona fide*, the petitioner has 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 there is one previous case pending against the petitioner herein, which is not similar in nature.

5. Considering the nature of the mineral involved, the antecedents of the petitioner and his willingness to pay a sum of Rs.5,000/- (Rupees Five Thousand only) 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**



CRL OP(MD). No.17210 of 2023

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7. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.1, Kuzhithurai, 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/-
25/09/2023

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



CRL OP(MD). No.17210 of 2023

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INDU

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
KUZHITHURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
ARUMANAI POLICE STATION,
KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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CRL OP(MD). No.17210 of 2023

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+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-14180[I] dated 26/09/2023)

ORDER
IN
CRL OP(MD) No.17210 of 2023
Date :25/09/2023

SS/JGB/27/09/2023/5P/8C

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