



CRL OP(MD). No.17293 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17293 of 2023

Arivalagan

... Petitioner / Accused Rank not known

Vs

State represented by
The Inspector of Police,
Uthappannaickanur Police Station,
Madurai District.

Crime No.124 of 2023.

... Respondent / Complainant

For Petitioner : M/s.K.RAJESH, Advocate

For Respondent : Mr.S.MANIKANDAN

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.124 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 21(1), 21(5) of Mines and Minerals (Development and Regulation) Act, 1957, r/w 379 of IPC and 3(3) of Tamil nadu public property (Prevention of Damage and loss) Act, 1992, in Crime No.124 of 2023, on the file of the respondent police, seek anticipatory bail.



CRL OP(MD). No.17293 of 2023

WEB COPY

2. The case of the prosecution is that on 26.06.2023, the VAO and his team were conducted raid near the place of occurrence, they found the accused persons illegally taking the sand and transported the same to other places. Based on the complaint given by the VAO, the present case came to be registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has illegally transported sand worth about Rs.10,00,000/-.

5. It is seen that cost has been imposed upon the co-accused in Crl.O.P(MD) No.15672 of 2023. Considering the nature of the mineral involved, the petitioner is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of the crime number.

6. On such deposit, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Usilampatti, Madurai District, 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



CRL OP(MD). No.17293 of 2023

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.

7. 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/-
26/09/2023

/ TRUE COPY /

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

PNN
TO
1 THE JUDICIAL MAGISTRATE, USILAMPATTI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
UTHAPPANNAICKANUR POLICE STATION,
MADURAI DISTRICT.

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



WEB COPY



CRL OP(MD). No.17293 of 2023

ORDER

IN

CRL OP(MD) No.17293 of 2023

Date :26/09/2023

SA/DD/SAR. /17.10.2023/4P/5C

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