



CRL OP(MD). No.17316 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.17316 of 2023

1.Pavunraj
2.Ravikumar

... Petitioners / Accused Rank not known

Vs

State represented by
The Sub Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
Crime No.400 of 2023.

... Respondent / Complainant

For Petitioners : M/s.Ganapathi Subramanian, 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.400 of 2023 on the file of the Respondent Police.



CRL OP(MD). No.17316 of 2023

ORDER : The Court made the following order :-

WEB COPY

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.400 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 09.09.2023, when the respondent were conducted raid near the place of occurrence, they intercepted a tractor and inspected. They found one unit of red sand without permission. On seeing the respondent, the accused persons ran away from the place. The respondent seized the vehicle and registered the present case.

3. The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. They have not committed any offence as alleged by the prosecution. However, to show their bona fide, the petitioners have come forward to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only).



CRL OP(MD). No.17316 of 2023

WEB COPY

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners have illegally transported 1 unit of red sand in a vehicle. He further submitted that the petitioners are not having any previous cases.

5. Considering the nature of the mineral involved, and his willingness to pay a sum of Rs.10,000/- (Rupees Ten Thousand 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 Kalaingar Centenary Library, Madurai, without prejudice to their rights and contentions before the trial Court.

ii) further, the petitioners shall deposit a sum of Rs. 5,000/- (Rupees Five Thousand only) to the credit of Crime No.400 of 2023 before the learned Judicial Magistrate No.II, Srivilliputhur.



CRL OP(MD). No.17316 of 2023

WEB COPY

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 No.II, Srivilliputhur, 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 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/-
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 NO.II, SRIVILLIPUTHUR,.



CRL OP(MD). No.17316 of 2023

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3. THE SUB INSPECTOR OF POLICE,
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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 IN CHARGE,
KALAINAR CENTENARY LIBRARY, MADURAI,

ORDER
IN

CRL OP(MD) No.17316 of 2023

Date :26/09/2023

RK/DD (12/10/2023) 5P / 7C

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