



CRL OP(MD). No.18675 of 2023

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

Date : 18/10/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18675 of 2023

Thangam @ Thangapandian

... Petitioner / Accused No.2

Vs

The Inspector of Police,
KV Nallur Police Station,
Tenkasi District.
(Crime No. 206 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Angusamy V, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No. 206 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 379 of IPC in Crime No.206 of 2023, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution on 23.07.2023, when the respondent police were conducting check up, on suspicion, they stopped a tractor and found 1 ¼ unit of vandal sand without valid licence. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. However, to show his bona fide, the petitioner has come forward to pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Cr.No.206 of 2023 before the trial Court concerned.

4. Learned Additional Public Prosecutor would submit that the earlier application for anticipatory bail was dismissed on the ground that the petitioner is having two previous cases.

5. Even though he is having three previous cases, the sand has taken in patta land of the petitioner for the purpose of putting up constructions.

6. Considering the nature of the allegations, his willingness to pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 Cr.No.206 of 2023 before the trial Court concerned, without prejudice to his



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rights and contentions before the trial Court.

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8. 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 Judicial Magistrate Court, Sankarankovil, 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.

9. 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/-
18/10/2023

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/10/2023

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

VSG

To

1.The Judicial Magistrate,
Sankarankovil.



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2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
KV Nallur Police Station,
Tenkasi District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-15415[I] dated 18/10/2023)

ORDER
IN
CRL OP(MD) No.18675 of 2023
Date :18/10/2023

ED/JGB/SAR- (30/10/2023) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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