



CRL OP(MD). No.19547 of 2023

WEB COPY

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

Date : 20/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN
CRL OP(MD). No.19547 of 2023

Tanajeyan

... Petitioner/ Accused No.2

Vs

The State, represented by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
Crime No.163 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.M.Jegadeesh Pandian,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.163 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 379 of IPC r/w. 21(5) of MMDR Act, 1957, on the file of the respondent Police, seeks anticipatory bail.



CRL OP(MD). No.19547 of 2023

2. The case of the prosecution is that on 07.08.2023, at about 8.30 hours, when the defacto complainant's party conducted an inspection at Kundaru river, Pulakurichi, Thiruchuli to Kariyapatti road, they found that the petitioner along with other accused persons involved in illegal sand theft. They found 80 bags of river sand from the vehicle bearing Registration No.TN 65 Q 3551. 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. Further, co-accused was released on bail by this Court in Crl.O.P(MD) No.16362 of 2023, dated 11.09.2023.

4. The learned Additional Public Prosecutor would submit that two previous cases are pending against the petitioner. One is offence under Section 302 IPC, it is ended in acquittal against this petitioner. Another one is offence under Section 188 IPC, in which case, this petitioner's name was deleted. Hence, no previous case is pending against the petitioner.

5. Considering the facts and circumstances of this case and no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.



CRL OP(MD). No.19547 of 2023

WEB COPY

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thiruchuli, Virudhunagar District, 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.

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/-
20/11/2023

/ TRUE COPY /

/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.19547 of 2023

TO

1. THE JUDICIAL MAGISTRATE,
THIRUCHULI, VIRUDHUNAGAR DISTRICT.

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

3. THE INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-16659[I] dated
22/11/2023)

ORDER

IN

CRL OP(MD) No.19547 of 2023

Date :20/11/2023

RK/DD (23/11/2023) 4P /6C

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