



CRL OP(MD). No.22491 of 2023

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

Date : 14/12/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.22491 of 2023

Mouliswaran @ Chandra Mouliswaran

... Petitioner/3rd Accused

Vs

The State. Rep. by
The Inspector of Police,
Vathalai Police Station,
Trichy District.
(Crime No.170/2023).

... Respondent/Complainant

For Petitioner : M/s.B.Mahendrarajan,
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.170/2023 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 Section 379 IPC, 21(1) of Mines and



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Minerals Development and Regulation Act, 1957 in Crime No.170 of 2023 on the file
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of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein and other accused have illegally transported 1/2 unit of river sand by using Two wheeler. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the co-accused was already released on bail, so seeks anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner herein is having one previous case, but, not in similar nature and the co-accused have already released on bail.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused have already been released on bail, this Court is inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, 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, Musiri, Trichy 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/-
14/12/2023

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/01/2024
Sub-Assistant Registrar (C.S. -I, II, III, IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

TO

1.THE JUDICIAL MAGISTRATE, MUSIRI, TRICHY DISTRICT



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

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3. THE INSPECTOR OF POLICE,
VATHALAI POLICE STATION, TRICHY DISTRICT.

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

+1. CC to MR.M.BOOPATHI PANDIAN, Advocate SR.No.56366(F) dated 14.12.2023

ORDER

IN

CRL OP(MD) No.22491 of 2023

Date :14/12/2023

RK/VR (02/01/2024) 4P / 6C

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