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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/06/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.5923 of 2020

1. N.Kumar

2. Aravind

3. Arumugam,
S/o.Natesan

4. Arumugam,
S/o.Amirthalingam

5. Manikandan

... Petitioners/Accused
Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
Crime No.44 of 2020

... Respondent/Complainant

For Petitioners : M/s.K.M.Karunakaran,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

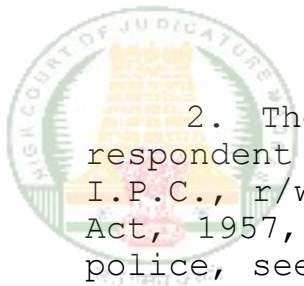
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

To enlarge the Petitioners on bail in the event of their arrest in connection with the Cr.no.44/2020 on the file of the respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.



2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Section 379 of I.P.C., r/w 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.44 of 2020, on the file of the respondent police, seek anticipatory bail.

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3. The learned Government Advocate (Criminal Side) states that each petitioner have illegally transported quarter unit of sand.

4. Taking note of the facts and circumstances of the case, anticipatory bail is granted with certain conditions. The petitioners undertake to deposit a sum of Rs.3,500/- (Rupees Three Thousand Five Hundred only) each as non refundable deposit to the credit of Crime No.44 of 2020, before the jurisdictional Court. It will be without prejudice to the petitioner's defence in the trial. The said amount will be transferred by the Court to the account of any relief fund that may be maintained by the district administration. The district administration shall spend the amount for any welfare activity and also submit user certificate to the Registry of this Court. 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.I, Kumbakonam, Thanjavur District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

5. The petitioners shall appear before the concerned Magistrate within a period of eight weeks from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

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

Note : In view of the present lock down owing to COVID -19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE JUDICIAL MAGISTRATE NO.I, KUMBAKONAM,
THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
KUMBAKONAM EAST POLICE STATION, THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.5923 of 2020
Date :11/06/2020

MS/PN/SAR-3/12.06.2020/3P.5C