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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/06/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.9702 of 2022

1. P.Muthukumar
2. Muniyammal
3. Kanimurugan ... Petitioners/Accused Nos.1 to 3

Vs

State rep.by
The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
(Crime No.113/2022). ... Respondent/Complainant

For Petitioners: M/s.Mandhiralingeswaran S,
Advocate.

For Respondent : M.Muthumanikkam,
Counsel for Government of
Tamilnadu (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.113/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused 1 to 3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 379, 511 of IPC and Section 24 of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.113 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the accused had illegally transported Savudu sand without any valid permit. Hence, the complaint.

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3.On the side of the petitioners, it is stated that the petitioners are not connected with the offence and that the

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petitioners are not having any previous case. Hence, prays to release them on anticipatory bail.

4.The learned Government Counsel (Crl. Side) appearing for the respondent would submit that the petitioners are not having any previous case.

5.Considering the submissions made by both sides, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the District Mineral Foundation Trust, Thoothukudi District, without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate, Thiruchendur.

7.On production of such receipt/acknowledgment, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Thiruchendur 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/Judge concerned and the petitioners shall appear before the respondent police daily at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

8.The petitioners shall appear before the concerned Magistrate/Judge within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
01/06/2022

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/ /2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

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.

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TO

1. THE JUDICIAL MAGISTRATE,
   THIRUCHENDUR.

2. -DO- THROUGH
   THE CHIEF JUDICIAL MAGISTRATE,
   THOOTHUKUDI DISTRICT.

3. THE OFFICER INCHARGE,
   THE DISTRICT MINERAL FOUNDATION TRUST,
   THOOTHUKUDI DISTRICT.

4. THE INSPECTOR OF POLICE,
   KULASEKARAPATTINAM POLICE STATION,
   THOOTHUKUDI DISTRICT.

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

+1. CC to M/S.MANDHIRALINGESWARAN S Advocate SR.No.5116

ORDER
IN
CRL OP(MD) No.9702 of 2022
Date :01/06/2022

SP/PN/SAR IV/02/06/2022/3P/7C

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