



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

Date : 09/06/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.10080 of 2023

1. Udhaya @ Udhayakrishnan
2. Naveen

... Petitioners/Accused No.1 & 2

Vs

The Inspector of Police,
Woraiyur Police Station,
Trichy City.
Crime No.919 of 2023.

... Respondent/Complainant

For Petitioners : M/s.Vinoth Kumar B,
Advocate.

For Respondent : Mr.B,Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.919 of 2023 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of
the respondent police for the offences punishable under section 379
I.P.C., and section 21(1) of Tamil Nadu Mines and Minerals
(Development and Regulation) Act, 1957 in Crime No.919 of 2023 on
the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners said to
have illegally transported one unit of river sand . Hence, a case
has been registered.

3. Heard both sides and perused the materials available on
record including the First Information Report.



4.Considering the facts and circumstances of the case and also considering the fact that there is no previous case pending against the petitioners, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the Judicial Magistrate No.IV, Trichy on condition that the petitioners shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned failing which, the petition for anticipatory bail shall stand dismissed and on further condition that

(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall make a non refundable deposit for a sum of Rs.15,000/- (**Rupees Fifteen thousand only**) **to the credit of Government of Tamil Nadu, CMPRF in IOB**, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties.

(c)the petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



(g)if the accused/petitioner thereafter absconds, a f [R
can be registered under Section 229-A IPC.

sd/-
09/06/2023

/ TRUE COPY /

WEB COPY

/06/2023

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

AAV

TO

1. The Judicial Magistrate No.IV, Trichy.
2. Do through the Chief Judicial Magistrate,
Trichy.
3. The Inspector of Police,
Woraiyur Police Station, Trichy City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Officer In-Charge,
Chief Minister Public Relief Fund,
Government of Tamil Nadu,
Secretariat Branch,
Chennai - 9.

+1 CC to M/s.B.VINOTH KUMAR, Advocate (SR-8539[I] dated
12/06/2023)

ORDER

IN

CRL OP(MD) No.10080 of 2023

Date : 09/06/2023

NA/BUC/SAR- /13.06.2023/3P/7C