



CRL OP(MD). No.5140 of 2024

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

Date : 03/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5140 of 2024

Balamurugan,

... Petitioner/ Accused No.2

Vs

**The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
(Crime No.65/2024)**

...Respondent/ Complainant

**For Petitioner :Mr. A. Aruljenifer, Advocate.
For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor.**

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

PRAYER :-

For Anticipatory Bail in Crime No.65 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 and Section 379 of IPC in Crime No.65 of



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2024, dated 19.03.2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported one unit of river sand.

3.The learned counsel appearing for the petitioner submits that the petitioner has not indulged in such criminal activities. However, the respondent police has falsely implicated the petitioner in this case.

4.The learned Additional Public Prosecutor for the respondent submits that the petitioner is not having any previous case pending as against him.

5.Considering the facts and circumstances of this case and also considering that the petitioner is not having any previous case pending as against him, this Court is inclined to grant anticipatory bail to the petitioner.

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, within a period of fifteen days from the date of receipt of a copy of this order, before the District Munsif-cum Judicial Magistrate Court, Peravoorani, Thanjavur District on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned District Munsif-cum Judicial Magistrate Court, Peravoorani, Thanjavur

District and on further conditions that:

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- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police daily at 10.30 am for a period of fifteen days. He has to co-operate for the investigation.
- iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.
The petitioner shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
03/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN
TO
1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PERAVOORANI,
THANJAVUR DISTRICT.



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- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
SETHUBAVACHATHIRAM POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.5140 of 2024

Date :03/04/2024

PKP/JGB/SAR /08.04.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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