



CRL OP(MD). No.5165 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.5165 of 2024

1. Boobalan

2.Xavier

... Petitioners / Accused Rank not known

Vs

The Inspector of Police,
Vallam Police Station,
Thanjavur District.
(Crime No.222 of 2023)

... Respondent / Complainant

For Petitioners : M/s.A.Arun Prasad, 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.222/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of IPC r/w 21(1) of



CRL OP(MD). No.5165 of 2024

Mines and Minerals(Development and Regulation) Act, 1957 in Crime No.222 of 2023, dated 06.06.2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have transported five units of gravel without any valid permit.

3.The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor admits that the petitioners are not having any previous case pending as against them.

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

6.Accordingly, this criminal original petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court No II, Thanjavur on condition that the petitioners 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 Judicial Magistrate Court No II, Thanjavur and on further conditions that:



CRL OP(MD). No.5165 of 2024

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- i. The petitioners 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 petitioners shall appear before the respondent police daily at 10.30 am for a period of two weeks and thereafter shall appear as and when required by the respondent police. They have to co-operate for the investigation.
- iii. The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioners, 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.



CRL OP(MD). No.5165 of 2024

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To

- 1.The Judicial Magistrate No.II,
Thanjavur.
- 2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3.The Inspector of Police,
Vallam Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.5165 of 2024
Date :03/04/2024

ED/ VR /SAR- (08/04/2024) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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