



CRL OP(MD)No.5251 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 04.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.5251 of 2024

Ashokan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
(Cr.No.198 of 2024)

...Respondent/Complainant

For Petitioner : Mr.A.ARUN PRASAD, Advocate

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor.

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

PRAYER :- For Anticipatory Bail in Crime No.198 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 Section 379 IPC r/w Section 21(4) of the Mines and Minerals Act in Crime No.198 of 2024 on the file of the respondent police, seeks anticipatory bail.

<https://www.mhc.tn.gov.in/judis>



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2.The case of the prosecution is that the petitioner illegally transported $\frac{1}{4}$ unit of river sand by using bullock cart.

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 learned Judicial Magistrate No.III, Thanjavur 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 Judicial Magistrate No.III, Thanjavur and on further conditions that:

- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the



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Government in proof of their residence address;

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- ii. The petitioner shall appear before the respondent police daily at 10.30 am for a period of fifteen days and thereafter, as and when required. 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/-
04/04/2024

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

GNS
TO
1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
AYYAMPETTAI POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.A.ARUN PRASAD, Advocate (SR-4263[I] dated 08/04/2024)

ORDER IN
CRL OP(MD) No.5251 of 2024
Date :04/04/2024

SA/JGB/SAR. /15.04.2024/4P/6C

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