



CRL OP(MD). No.5700 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5700 of 2024

1. Balu,

2. Arockiyasamy,

... Petitioners/ Accused No.1,2

Vs

State represented by
The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
Crime No. 65/2024.

... Respondent/Complainant

For Petitioner : Mr.S. Sankar, Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

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.

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



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ORDER : The Court made the following order :-

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The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.65 of 2024, for the offence punishable under Section 379 of IPC and Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally transported 1/4 unit of river sand through their bullock cart.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that one previous case is pending against the first accused and the second accused has no previous case.

5. Considering the facts and circumstances of the case, quantity of mineral and



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also the petitioners' antecedents, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail in the event of their arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate on condition that

(i) the petitioners execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai, Thanjavur.

(ii) 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;

(iii) The second petitioner shall appear before the respondent police as and when required for interrogation. The first petitioner should report before the respondent police at 10.00 am for a period of fifteen days. They have to co-operate for the investigation.

(iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution



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witnesses.

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(v) 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/-
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/04/2024

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

LR

TO

1.THE JUDICIAL MAGISTRATE, PATTUKOTTAI, THANJAVUR.

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

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

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

+1 CC to M/s.S.SANKAR, Advocate (SR-4438[I] dated 16/04/2024)



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ORDER

IN

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Date :15/04/2024

RK/GS (18/04/2024) 5P / 6C

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