



CRL OP(MD). No.5723 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5723 of 2024

Udayakrishnan,

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Woraiyur Police Station,
Trichy City.
Cr.No.90/2024.

... Respondent/Complainant

For Petitioner : M/s.RAJESH.K,
Advocate.

For Respondent : Mr.P.KOTTAICHAMY,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.90/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police in connection with Crime No.90 of 2024 for the offence under Section 379 of IPC r/w 21 (1) of Mines and Minerals (Development and Regulation) Act, 1957, has filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported 4



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bags of river sand in a bullock cart.

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3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of anticipatory bail on the ground that the petitioner has one previous case to his credit and the investigation is yet to be completed.

5.At this juncture, the learned counsel for the petitioner intervened and submitted that the petitioner is ready to file an undertaking affidavit before the concerned Police Station that he will not indulge in any such offence in future.

6.Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioner and the petitioner's readiness to file an undertaking affidavit that he will not indulge in any such offence in future, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.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 Judicial Magistrate Court No.IV, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned



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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 file an undertaking affidavit before the respondent police that he will not indulge in any such offence in future; Further, he shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required by the respondent police. 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. He 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 bail.

sd/-
18/04/2024

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



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SJI

TO

1 THE JUDICIAL MAGISTRATE NO.IV,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
WORAIYUR POLICE STATION,
TRICHY CITY.

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

+1 CC to M/s.K.RAJESH, Advocate (SR-4667[I] dated 22/04/2024)

ORDER IN
CRL OP(MD) No.5723 of 2024
Date :18/04/2024

SA/VR/SAR. /25.04.2024/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.