



CRL OP(MD). No.5825 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5825 of 2024

Shanmugam,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Maruvur Police Station,
Thanjavur District.
(Crime No.104/2024).

... Respondent/Complainant

For Petitioner : M/s.Uma Maheswaran.U, 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.104 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.104 of 2024, for the offence punishable under Section 379 IPC r/w Section 21(1) of Mines and Minerals (Development and Regulations) Act 1957, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported 1/4 unit of river sand in a bullock cart. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is falsely implicated in this case. The petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioner is having one similar case pending against him.

5. Considering the facts and circumstances of the case and also considering the quantity of mineral, this Court is inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is ordered and the petitioner is 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 petitioner 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, Thiruvaiyaru, Thanjavur.

(ii) 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;

(iii) The petitioner shall appear before the respondent police as and when required for interrogation. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.



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(vi)The petitioner is directed to pay a sum of Rs.5000/- to a Government Primary School in Valappakudi, Thiruvaiyaru Taluk, Thanjavur and he has to file an undertaking affidavit to the respondent police stating that he will not indulge in any offence in future.

sd/-
16/04/2024

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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, THIRUVAIYARU, THANJAVUR.

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

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

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

+1 CC to M/s.U.UMA MAHESWARAN, Advocate (SR-4523[I] dated 17/04/2024)

ORDER
IN
CRL OP(MD) No.5825 of 2024
Date :16/04/2024



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RK/VR (22/04/2024) 5P / 6C

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