



CRL OP(MD).No.6070 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.6070 of 2024

Prabudeva

... Petitioners/ Sole Accused

Versus

The Inspector of Police,
Melatur Police Station,
Thanjavur District
(Crime No.125 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.T.Eashwar, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. isde)

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

PRAYER :-

For Anticipatory Bail in Crime No.125 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.125 of 2024, for the offence punishable under Section 379 IPC r/w Section 21(4) 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 one unit of river sand in his four wheeler bearing Registration No.TN-68-AF-2979. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner has rectified his mistake and he has donated two fans, two tables and four chairs of worth Rs.10,000/- to the Panchayat Union Primary School, Chinna Ammankudi, Thanjavur District.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that no previous case is pending against the petitioner.

5. Considering the change of attitude and also considering the antecedent of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the



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concerned learned Judicial Magistrate No.III, Thanjavur, on condition that

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(i) 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.

(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 for a period of one week for interrogation and file an affidavit of undertaking that he will not indulge in any offence in future. 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.

7. It is needless to say that any tool or instrument or vehicle used for illegal quarrying / transportation of sand is liable to be seized under Section 21(4) of the



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Mines and Minerals(Development & Regulation) Act, 1957 and any vehicle or instrument or tool which has been seized under Section 21(4) of the Mines and Minerals (Development & Regulation) Act, 1957, is liable to be confiscated.

sd/-
30/04/2024

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/05/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

To

1.The Judicial Magistrate No.III,
Thanjavur.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Melatur Police Station,
Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.EASHWAR, Advocate (SR-5167[I] dated 30/04/2024)



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ORDER

IN

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Date :30/04/2024

ED/ GS /SAR- (08/05/2024) 5P / 6C

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