



CRL OP(MD). No.6360 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6360 of 2024

1. Mani @ Katta Mani,

2. Magesh,

... Petitioners/ Accused No.2 & 3

Vs

The Inspector of Police,
Thiruvidadaimarudhur Police Station,
Thanjavur District.
Crime No. 309/2024.

... Respondent/Complainant

For Petitioner : Mr.P R Boomee Rajan,
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.309 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police in



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connection with Crime No.309 of 2024 for the offence under Sections 379 of IPC r/w 21(1) of Mines and Minerals (Development and Regulations) Act, 1957, have filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the petitioners have illegally transported river sand in 14 gunny bags. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocents 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) has objected for grant of anticipatory bail on the ground that one previous case of similar in nature is pending against the first petitioner. However, he fairly conceded that the second petitioner has no previous case.

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

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of 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 District Munsif cum Judicial Magistrate, Thiruvudaimarudhur, on condition



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that the petitioners shall 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 Magistrate concerned, and on further conditions that:

(i) 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;

(ii) The petitioners shall appear before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation. They have to co-operate for the investigation.

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

(iv) 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/-
25/04/2024

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

SJI



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TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUVIDAIMARUDHUR.

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

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

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

+1 CC to M/s.PR. BOOMEE RAJAN, Advocate (SR-5016[I] dated 29/04/2024)

ORDER
IN

CRL OP(MD) No.6360 of 2024

Date :25/04/2024

SS/VR/SAR- /03/05/2024/4P/6C

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