



CRL OP(MD). No.6579 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6579 of 2024

Muthumani,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Srirangam Police Station,
Trichy.
Cr.No.388/2024.

... Respondent/ Complainant

For Petitioner : Ms.Yamuna R.,Advocate.

For Respondent : Mr.M.Sakthi Kumar,

Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 388/2024 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 the case in Crime No.388 of 2024 for the offence under Section 379



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I.P.C r/w. Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, has filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that the petitioner is said to have illegally transported 1 unit of river sand without valid permission by using Mahindra Pickup Van.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the investigation is yet to be completed. However, he fairly submits that the petitioner is not having any previous case.

5. Considering the facts and circumstances of the case, nature of offence and considering the fact that the petitioner is not having any previous case, this Court is inclined to grant anticipatory bail to the petitioner.



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6. 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 concerned learned Judicial Magistrate, on condition that:

(i) the petitioner executes 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 District Munsif cum Judicial Magistrate, Srirangam, Trichy;

(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 daily at 10.30 am for a period of two weeks and thereafter shall appear as and when required by the respondent police. 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

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



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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/-
29/04/2024

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

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TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, SRIRANGAM, TRICHY.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
SRIRANGAM POLICE STATION, TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.R.YAMUNA, Advocate (SR-5148[I] dated 30/04/2024)

ORDER

IN

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Date :29/04/2024

PKP/JGB/SAR /08.05.2024/ 5P/6C

Madurai Bench of Madras High Court is issuing certified
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