



CRL OP(MD) No.6708 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twentieth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) No.6708 of 2024

RAJASEKAR

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
ADIRAMAPATTINAM POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.132 OF 2024

... RESPONDENT/COMPLAINANT

For Petitioner : MR.K.M.KARUNAKARAN, Advocate
For Respondent : MR.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.132 OF 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 a case in Crime No.132 of 2024, for the offence under Section 379 IPC r/w. Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, has filed this petition seeking anticipatory bail.



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2. The case of the prosecution is that the petitioner has illegally transported one unit of river sand in a vehicle.

3. The learned Government Advocate (Crl. Side) opposes for grant of bail on the ground that the petitioner is having three previous cases.

4. The learned counsel appearing for the petitioner submits that the petitioner has now realized his mistake and also contributed two chairs, two tables, five plastic chairs and a sintex tank, to the tune of Rs.25,000/- to Sendakkottai Panchayat Union Primary School, Pattukkottai. He has also produced a copy of the acknowledgment received from the Headmaster.

5. Considering the nature of offence and also considering the change in attitude, 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 arrest or on his 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 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 Judicial Magistrate, Pattukkottai.

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or



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any other identity card issued by the government in proof of their residence address;

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(iii) The petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation. He has to co-operate for the investigation.

(iv) The petitioner shall file an undertaking affidavit that he will not indulge in any other offence in future, before the respondent police.

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

(vi) 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 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/-

20/06/2024

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/07/2024

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

Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI.

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

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

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-6744[I] dated 20/06/2024)

ORDER

IN

CRL OP(MD) No.6708 of 2024

Date :20/06/2024

RS/JGB/SAR-(01.07.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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