



CRL OP(MD)No.8231 of 2024

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

Date : 06.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD)No.8231 of 2024

Palaniyandi

... Petitioner / Accused Rank not known

Vs

The Inspector of Police,
Pulivalam Police Station,
Trichy District.
(Crime No.55 of 2024)

... Respondent / Complainant

For Petitioner : Mr.K.Sivabalan, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.55 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 IPC r/w Section 21(1) of the Mines and Minerals(Development and Regulation) Act, 1957 in Crime No.55 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the petitioner and other accused were found in illegal possession of one unit of gravel sand.

3.The learned counsel appearing for the petitioner submits that the petitioner has not indulged in such criminal activities. However, the respondent police has falsely implicated the petitioner in this case.

4.The learned Government Advocate(Crl.side) for the respondent submits that investigation in this case is not yet completed.

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

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 learned Judicial Magistrate, Thuraiyur on condition that 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, Thuraiyur and on further conditions that:

- i. 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;



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ii. The petitioner shall appear before the respondent police as and when required;

iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.

iv. 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 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/-
06/06/2024

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/06/2024
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 Judicial Magistrate,
Thuraiyur.

2.Do through the Chief Judicial Magistrate,
Trichy District.

3.The Inspector of Police,
Pulivalam Police Station,
Trichy District.

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

+1 CC to M/s.K.SIVABALAN, Advocate (SR-6215[I] dated 07/06/2024)

ORDER

IN

CRL OP(MD) No.8231 of 2024

Date :06/06/2024

ED/ GS /SAR- (13/06/2024) 4P / 6C

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