



CRL OP(MD). No.8784 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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R.Pandiselvi,

... Petitioner/Owner of the Vehicle

Vs

The State represented by
The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
Cr.No.778 of 2023.

... Respondent/Complainant

For Petitioner : Mr.C.M.MARI CHELLIAH PRABHU, 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.778 of 2023 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.778 of 2023, for the offence punishable under



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Section 379 IPC and Section 21(1) of Mines & Minerals (Development & Regulation)

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Act, 1957, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported four unit of river sand in a tipper lorry. Hence, the case.

3. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that by earlier order dated 02.01.2024, this Court has already granted anticipatory bail to the petitioner in Crl.O.P(MD)No.23415 of 2023 and directed her to pay a sum of Rs.20,000/- to the credit of the concerned District Mineral Foundation Trust. However, she has failed to comply with the same and filed a petition in Crl.M.P(MD)No.4591 of 2024, seeking to modify the condition imposed on her and the same was dismissed. Now, she has filed this petition seeking anticipatory bail.

4. The learned counsel appearing for the petitioner submits as directed by this Court in Crl.O.P(MD)No.23415 of 2023, the petitioner has deposited the amount. Hence, he prays for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering that the petitioner has complied with the condition imposed on her, 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 her arrest or on her appearance within a



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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 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, Papanasam, Thanjavur District.

(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 as and when required for interrogation. She has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to her 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



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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/-
14/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

1 THE JUDICIAL MAGISTRATE,
PAPANASAM, THANJAVUR DISTRICT.

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

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

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

+1 CC to M/s.C.M.MARI CHELLIAH PRAHU, Advocate (SR-6548[I] dated
14/06/2024)



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ORDER
IN
CRL OP(MD) No.8784 of 2024
Date :14/06/2024

SA/VR/SAR. /21.06.2024/5P/6C

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