



CRL OP(MD). No.8516 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8516 of 2024

Nirubanchakkaravarthi,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
Cr.No.61 of 2024.

... Respondent/Complainant

For Petitioner : Mr.R. Shankar Ganesh, Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.61 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



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the alleged offence punishable under Section 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.61 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported two units of river sand.

3.The learned counsel appearing for the petitioner submits that the petitioner has not indulged in any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. side) has raised serious objections and submits that this is the petitioner's second application for anticipatory bail and the earlier application in Crl.O.P.(MD)No.5937 of 2024 was dismissed by this Court on 17.04.2024 on the ground of antecedents as against him.

5.The learned counsel for the petitioner submits that the petitioner has realized his responsibility towards the society and has also contributed money to the society by paying a sum of Rs.1,00,000/- to the Chief Educational Officer, Ramanathapuram,



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to construct toilet or smart class room for the welfare of the students in any of the Government schools at Ramanthapuram District.

6.Considering the nature of offence and also considering the change of attitude of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7.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, Paramakudi, 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 Magistrate concerned 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;
- 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



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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.

sd/-
18/06/2024

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

SJI
TO

- 1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
EMANESWARAM POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

COPY TO
THE CHIEF EDUCATIONAL OFFICER
RAMANATHAPURAM.

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-6595[I] dated 18/06/2024)

ORDER
IN
CRL OP(MD) No.8516 of 2024
Date :18/06/2024

PKP/JGB/SAR /27.06.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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